

# Congressional Record

## SEVENTY-FOURTH CONGRESS, FIRST SESSION

### SENATE

MONDAY, MAY 6, 1935

(Legislative day of Wednesday, May 1, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### DEATH OF SENATOR BRONSON CUTTING, OF NEW MEXICO

Mr. HATCH. Mr. President, I rise to announce, with extreme regret, that a terrible accident has occurred this morning in which my colleague the senior Senator from New Mexico [Mr. CUTTING] has lost his life. I am informed he had been in New Mexico, called there by important business, and was returning by airplane in order that he might be at his post of duty this afternoon. He was tremendously interested in matters which were to come before the Senate today, and I know he was exerting every effort to be here, in order to participate in the proceedings which were to have been had. In his loyalty to duty he lost his life.

Later I shall ask permission to make extended remarks concerning the life and character of Senator CUTTING. For the present, I will content myself with saying that he has carved for himself a conspicuous and honored place in the affairs of the Nation, as well as of my State, and his untimely and tragic death is a loss to America, as well as to New Mexico.

I send to the desk a resolution which I ask to have read and to have considered at this time.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 130) was read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. Bronson CUTTING, late a Senator from the State of New Mexico.

*Resolved*, That a committee of 10 Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT appointed as the committee provided for under the second resolution the Senator from New Mexico [Mr. HATCH], the senior Senator from Arkansas [Mr. ROBINSON], the senior Senator from Oregon [Mr. McNARY], the senior Senator from Idaho [Mr. BORAH], the senior Senator from Nebraska [Mr. NORRIS], the senior Senator from California [Mr. JOHNSON], the senior Senator from Montana [Mr. WHEELER], the senior Senator from Wisconsin [Mr. LA FOLLETTE], the junior Senator from New York [Mr. WAGNER], and the senior Senator from Colorado [Mr. COSTIGAN].

Mr. HATCH. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now stand adjourned.

The motion was unanimously agreed to; and (at 12 o'clock and 3 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, May 7, 1935, at 12 o'clock meridian.

### HOUSE OF REPRESENTATIVES

MONDAY, MAY 6, 1935

The House met at 12 o'clock noon.

The Reverend Simpson B. Daugherty, D. D., of the National Memorial United Brethren Church, of Washington, D. C., offered the following prayer:

O God, our Father, we thank Thee that in the time of our deepest need and in the time when we seek to rise to triumph and success in the realm of statesmanship and legislation Thou dost point the way; Thou dost give us the consciousness of Thy presence in all that we undertake to do, and we pray that this session shall be to Thy glory and each one of us shall be found in the way of Thy choosing. Bless him who presides and all who have a part in the affairs of our Nation. And in His name we ask it. Amen.

The Journal of the proceedings of Saturday, May 4, 1935, was read and approved.

#### COTTON PROCESSING TAX

Mr. WARREN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WARREN. Mr. Speaker, on April 10, 1935, the General Assembly of North Carolina memorialized Congress to repeal the processing tax on cotton.

On May 3, 1935, this action was reconsidered by the North Carolina Legislature, and they have now sent us another memorial, which I ask the Clerk to read.

The SPEAKER. Without objection, the Clerk will read the memorial.

There being no objection, the Clerk read as follows:

A joint resolution repealing, rescinding, and vacating Resolution No. 37, House Resolution No. 1040, ratified April 10, 1935, entitled "A joint resolution memorializing Congress to eliminate the cotton-processing tax"

*Be it resolved by the house of representatives (the senate concurring):*

SECTION 1. That House Resolution No. 1040, ratified April 10, 1935, be, and the same is hereby, in all respects repealed, rescinded, and vacated as fully to all intents and purposes as if said resolution had never been introduced, passed, and/or ratified.

SEC. 2. That copies of this resolution be transmitted by the secretary of state of North Carolina to the President of the United States, the Secretary of Agriculture, and the Senators and Representatives in Congress from the State of North Carolina.

SEC. 3. That this resolution shall be in full force and effect from and after its ratification.

#### ELIMINATION OF GRADE CROSSINGS

Mr. RUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the elimination of grade crossings and to include therein letters which I have written to the Governor of the State of New York, the mayor of the city of New York, the State highway department and the transit commission, and their replies thereto.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. RUDD. Mr. Speaker, I ask unanimous consent to extend my remarks on the elimination of grade crossings, with particular reference to those of the Long Island Railroad on Atlantic Avenue in Brooklyn and Queens, and to include therein letters which I have sent to Governor Lehman and Mayor La Guardia, the State highway department, and the Transit Commission of New York, and their replies thereto.

The following letter was sent to the Honorable Herbert H. Lehman, Governor, Albany, New York; Hon. Fiorello H. LaGuardia, mayor, Manhattan, New York City; State highway department, Albany, N. Y., transit commission, 270 Madison Avenue, New York City:

APRIL 15, 1935.

I respectfully ask that application be made to the Secretary of Agriculture (Bureau of Roads, Mr. Thomas MacDonald), Washington, D. C., for allocation of funds to meet the cost of the Atlantic Avenue grade crossings elimination on the Long Island Railroad in the Boroughs of Brooklyn and Queens and Long Island. This application, in my opinion, should be made for a grant of money outright. My reasons for this are as follows:

For years the people of Brooklyn and Queens and Long Island, realizing the existing hazards to life at railroad grade crossings, have advocated their elimination.

Under the existing law the expense would have to be borne by the State of New York, the city of New York, and the Long Island and Nassau Railroads. Because of complications involved, a long-drawn-out court litigation would probably ensue.

In January 1935 a questionnaire was sent out, by direction of the Public Works Administration at Washington, by Mr. Arthur S. Tuttle, State engineer of the Public Works Administration in New York City, to the State of New York and its municipalities for contemplated and tentative improvements. The Atlantic Avenue improvement was among those contemplated. No formal, definite, and specific application for money for the Atlantic Avenue improvement was made, however.

Now that the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, is law, formal application must be made for the necessary funds to be allocated for this much-needed improvement.

Everything that has been done so far is purely tentative in its nature. I therefore again ask the Governor of the State of New York, the State highway department, the mayor of the city of New York, and the transit commission to join hands in making this application for the grant of funds by the Federal Government.

As the Long Island Railroad is routed for a great distance on Atlantic Avenue in the Boroughs of Brooklyn and Queens, in my congressional district, you can readily understand my great interest in this matter.

I hope this application is speedily made so that I may do all that I can with the authorities in Washington for the allocation of this money.

I am making this request to the Governor of the State of New York, the State highway department, the mayor of the city of New York, and the transit commission.

Sincerely yours,

STEPHEN A. RUDD.

STATE OF NEW YORK, EXECUTIVE CHAMBER,  
Albany, April 23, 1935.

Hon. STEPHEN A. RUDD,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN RUDD: This is in reply to your letter of April 15 to Governor Lehman.

I am advised by the department of public service that the State of New York is preparing promptly to utilize all the funds which the Federal Government will place at the disposal of the State for grade-crossing eliminations. It is understood that the President will soon announce the rules regarding the apportionment and utilization of funds and the bureau or department at Washington which will have charge of the matter. As soon as these points have been determined, the State of New York will be in a position to act promptly and your suggestion will be carefully considered in connection therewith.

Very sincerely yours,

WALTER T. BROWN.

CITY OF NEW YORK, OFFICE OF THE MAYOR,  
April 16, 1935.

Hon. STEPHEN A. RUDD,

House Office Building, Washington, D. C.

MY DEAR COLLEAGUE: I have yours of the 15th. As you know, I have already taken first steps to see that New York City gets some of the grade-crossing funds and that all doesn't go to the rural districts, as has been the custom heretofore. I have assurance that we will get our share.

When you are next in the city I will be glad to talk the matter over with you. If you have anything in mind specifically, I would suggest that you submit the location to Col. Frederick S. Greene, State superintendent of public works.

Kindest regards, sincerely yours,

F. H. LA GUARDIA, Mayor.

STATE OF NEW YORK,  
DEPARTMENT OF PUBLIC WORKS,  
Albany, N. Y., April 17, 1935.

Hon. STEPHEN A. RUDD,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have your letter of April 15 relative to the elimination of the Atlantic Avenue grade crossing in the Boroughs of Brooklyn and Queens.

The President has made no allocation for either highway or grade-crossing elimination work under section 5 of the Unemployment Relief Act. When this allocation is made I have no doubt that a certain sum of money will be allocated to the city of New York for grade-crossing eliminations. I don't know whether that work will be handled by this department or by the transit commission. Until such time, however, as the President does make an allocation to this State no allocation can be made to the city of New York.

I have no idea how much the Atlantic Avenue elimination will cost, but I imagine that the cost will be much greater than the amount that can possibly be allocated to New York City, if not greater than the amount that may be allocated to the State as a whole.

It is not our understanding that there will be 100-percent grants outside of those made under section 5 for non-Federal projects, although I believe the President has the authority to make such grants if he sees fit. This department, however, can't borrow money except through a vote of the people. I believe that municipalities can and it is suggested that you get in touch with the transit commission, which has State funds available for elimination of grade crossings, and see whether or not State funds and Federal funds may be used jointly to take care of Atlantic Avenue.

Very truly yours,

A. W. BRANDT, Commissioner.

TRANSIT COMMISSION,  
New York, April 16, 1935.

Hon. STEPHEN A. RUDD,

House of Representatives, Washington, D. C.

DEAR SIR: This will acknowledge the receipt of your letter of April 15, 1935, in reference to the possibility of an allocation of Federal funds to meet the cost of the Atlantic Avenue grade crossing elimination on the Long Island Railroad in the Boroughs of Brooklyn and Queens.

The possibility of securing Federal aid for this project has had the consideration of this commission for some time and conferences have been held with the president of the Borough of Brooklyn and counsel for the railroad company looking to the solution of the problems attendant upon so intricate a matter.

The Atlantic Avenue improvement was listed by the commission among other projects on the questionnaire filled out and filed with the Public Works Administration. Whether this project can be carried on with moneys allocated under the Emergency Appropriation Act of 1935 depends on whether the sum awarded to New York City for grade crossing elimination purposes will be sufficiently large and whether the city will be able to finance the related municipal improvements out of Federal funds or otherwise. Until regulations have been formulated by the Federal agencies delegated to carry out the provisions of the act and until the exact amount of the grade crossing allotment for New York City is decided, no determination can be reached as to whether the Atlantic Avenue improvement can be progressed with Federal financing.

Very truly yours,

MACK NOMBERG, Secretary.

In pursuance of the above reply from Mayor LaGuardia, on April 23 I had an interview with Messrs. Mack Nomberg and William C. Lancaster, secretary and chief engineer, respectively, of the transit commission, at 270 Madison Avenue, Manhattan; and on April 24 I had an interview with Mayor LaGuardia at the City Hall, New York City; all of the above gentlemen assured me that they would do everything they could to bring about the desired result.

#### THE PLIGHT OF THE COTTON-TEXTILE INDUSTRY

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks by including therein a radio address which I delivered on Saturday evening over the Columbia Broadcasting System.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which I delivered over the radio last Saturday evening:

I want to have a heart-to-heart talk tonight with all of you who are American citizens. Whether you live in my own New England, in the boundless prairies of the great West, in the sunny South, or in the realm of the great empire that is to be—beyond the Rockies on the slopes of the Pacific Ocean. We are all Americans, of one country and of one purpose. No section can prosper without that prosperity being reflected in every other section of the land. No section can be adversely affected without affecting every other section of the country.

I come tonight to plead the cause of a distressed people. I come to ask simple justice for a people whose only request of their Government is to be permitted an opportunity to earn their livelihood in the American way through honest toil. These people for whom I speak do not want to live on a Government dole; they do not want to be an anchor on the good ship Recovery. They want to bring back happier and better days by creating rather than destroying wealth.

Three injustices have recently been inflicted by the administration upon the people for whom I speak, all of whom depend for their livelihood upon King Cotton, which for years has contributed to the wealth of the Nation.

The cotton-spinning industry is one of the oldest industries in the world. It is the second largest in the United States. When

you strangle the second greatest industry in the country, that is a matter of great concern not only for the 10,000,000 who live directly or indirectly on cotton, but for everyone else as well.

The cotton industry is being choked with the cotton-processing tax, and unless relief is promptly forthcoming, drab days are ahead for the 500,000 men and women who work in these mills, both in the North and the South. No industry can permanently stand a 50-percent tax on pay rolls, which is about what this tax means to the cotton-spinning industry. Inevitably one of two things must happen: The mill closes and thousands are thrown out of work and join the great army of unemployed, who become dependent upon Government alms; or else there comes a readjustment downward of working conditions. Either would be deplorable, and I cannot believe will meet with the approval of the American people.

Now, I want it squarely understood I recognize there is a cotton crisis in the South that must be met. If the grower needs relief, give it to him. No one is going to interpose objections to this. But I believe we have a right to insist that this relief be given in a way that will not be destructive and disastrous to millions of other folks. You are never going to bring prosperity to this land by severely penalizing five people for every one you aid.

I repeat—give the southern cotton farmer a helping hand. But do not put what should be a national burden on the shoulders of an industry which has been struggling under difficulties for years and which can ill afford to bear additional burdens. Do not give this aid at the cost of throwing out of work hundreds of thousands of men and women who gain their livelihood by handling cotton in one way or another.

Do not give this aid to a part of the cotton-growing section and then make more pitiable and desperate the always pathetic life of the tenant crop farmer. Do not give this aid in a way that will put hundreds of thousands of people on the Federal-aid rolls. Lastly, do not give this help in a way which will cause other nations, notably Egypt, Brazil, and India, to increase their acreage; which will eventually mean the stabilization of the South on a 6,000,000-bale production, secured only through the aid of a protective tariff.

These are only facts, my countrymen, and in the consideration of the cotton tax it must always be remembered that cotton presents an entirely different situation than other crops. Cotton needs an export market almost as large as the home consumption if it is to be really prosperous. Other commodities will do fairly well if we give to the farmer the American market.

This Roosevelt experiment has failed; failed dismally. It has brought destitution and distress to a large part of our population. Fairness would demand a readjustment of the administration of this relief so that it will not block the return to better days.

The second grievance of the textile industry—and it is the grievance of a hundred other industries as well—is in the failure to give adequate protection against Japanese imports.

Within 40 days this year there were more textile goods imported into this country from Japan than came in during the whole 12 months of 1934. When the workers cried for protection, the President answered the imports were less than 1 percent of the output of the industry and other administration chiefs branded them as inconsequential.

It is true the total was less than 1 percent, but the President might have added that in one item, the imports embraced more than 20 percent of the volume; it might further have been said the Japanese price in every instance, regardless of the volume sold, establishes in a measure the price the American manufacturer can obtain. No seller can pass along his increased costs when he is already being undersold by a competitor, as resourceful and energetic as the Japanese.

Let us glance for a moment at the wages paid skilled workmen in Japan, the wages of the men and women who make the goods our working people are in competition with. We find for a 10-hour day the average textile worker gets 23½ cents; the worker in the metal trade, \$1.45; the glass worker, 75 cents; the worker in the match industry, 23 cents; the paper maker, 40 cents; the shoe worker, 65 cents; the tailor, 60 cents; the carpenter, 65 cents; plasterer, 73 cents; masons, 87 cents; bricklayers, 80 cents; painters, 70 cents; bookbinders, 69 cents; printers, 89 cents; male domestics, 24 cents; female domestics, 23 cents. Bear in mind these figures are for daily wages, not hourly.

These figures eloquently tell the story of why we cannot expect to live if the Japanese imports are allowed to come in as they are at the present time.

The question is fairly presented to the country. There is no dodging the issue. Do we want to compel the workers in America to compete in the American market with Japanese labor which is paid from 20 to 25 cents a day? Do we want to see industry thrive in Japan while it languishes in this country?

We talk about spending billions to defend this country from a foreign foe. If we do not have the good sense to protect our own industries and to give our own people a chance to work, there need be no worry about national defense. There won't be anything here to excite the envy or the cupidity of a foreign foe.

The processing tax and the Japanese imports are not all the textile industry is obliged to worry about. We once had profitable markets in South America, Central America, and the Philippines. In 1932 we sold in South America 66,207,000 square yards of cotton goods, while last year the sales totaled 35,310,000; almost a 50-percent drop. In 1933 we sold in Central America 44,382,000 square

yards, and last year only 33,499,000. The Department of Commerce reports: "The drop is mainly owing to competition from low-priced Japanese goods." Now, we could overlook this loss, even in an administration which has loud-trumpeted what it was doing to recover foreign markets. Let us turn to the Philippine Islands. In 1932 we sold to the Philippines 116,655,000 square yards of cotton piece goods; in 1933 the sales aggregated 88,087,000 square yards, and last year hit a new low of many years at 47,873,000. In this same period Japanese cotton piece goods exports rose from 24,661,520 yards in 1932 to 67,601,776 yards last year. You will not fail to note how badly we have been pushed into second place, and in a few months our trade will be negligible.

This slump in the Philippines' trade meant the loss of good jobs here for thousands of American workers, and it must be charged directly to the administration. No one else is to blame.

The Philippines were concerned at the vanishing of the American trade and they wanted to arrest the shift. They did not care to be too dependent upon Japan, and they further realized if they were to continue to sell goods in the United States they must buy some of our manufactured products. Legislation was proposed by the islanders last December which would have stopped the flood of Japanese imports. That legislation never was permitted to become a law. A message suggesting delay came from the State Department at Washington and the Philippine Legislature acquiesced. Think of that, an American official actually refusing to permit the enactment of legislation which would have increased American trade.

Months have passed. The Japanese enjoy the rich markets of the Philippines and, as the islanders become accustomed to the cheaper Japanese goods, it is going to be increasingly difficult for us to regain the markets.

These three grievances have been submitted to President Roosevelt. He has all the power necessary to give protection and justice to this great industry. One stroke of his pen and all could be adjusted. Will he aid these distressed millions? The responsibility is his. He can allow the millions engaged in the textile industry to enjoy a more abundant life if he so wishes.

Oh, my countrymen, I wish you could go with me into the homes of these mill workers, who have seen their mills closed for all time. Gloom and despair everywhere. Hope eternally vanished. Their jobs gone and no chance for new employment. They apparently face a future that means only the meager livelihood from the Government dole.

Cities and towns once prosperous are faced with mounting relief costs and decreasing revenues. Tax rates soar and the thrifty lose the homes they acquired only after years of toil. And in all this distress these municipalities struggle gamely on. They have asked very little of the Federal Government. My own State of Massachusetts has been obliged to put up more for relief than any other State in the Union.

Every Massachusetts city and town has contributed liberally for relief. One of the Federal officials has commended the Massachusetts spirit to do its part. But I sound this warning. We cannot continue. Our resources are not limitless. If these destructive policies continue, then we must unwillingly turn over the load. And, after all, if the Federal Government through its own folly and unwise experiments brings about a situation it must expect to pay.

You of the West are deeply interested in our plight. Your best customers are in these industrial cities. They consume your wheat, corn, and other agricultural products. Destroy the purchasing power in the great industrial centers and you will find your own situation will be seriously worse off. So, I repeat, this is a Nation-wide problem, and everybody is deeply concerned in having it solved right.

I cannot believe the spirit of fair play, the spirit of humane-ness, which has ever been in evidence in America, will permit these destructive policies to continue. It is because I have an unbounded faith in the people I am making this appeal to the country. Help these people or they perish.

#### IMPERIAL COUNCIL OF THE MYSTIC SHRINE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 272) to enable the Commissioners of the District of Columbia to defray certain expenses incident to the convention of the Imperial Council of the Mystic Shrine, June 8 to June 17, 1935, both inclusive.

The Clerk read the title of the resolution.

There being no objection, the Clerk read the joint resolution, as follows:

#### House Joint Resolution 272

*Resolved, etc.,* That for carrying out the provisions of Public Resolution No. 14, Seventy-fourth Congress, approved April 24, 1935, within the limitations and for the several purposes therein expressed, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, \$54,000, to be payable from the revenues of the District of Columbia.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## RESOLUTIONS OF THE UNITED STATES CHAMBER OF COMMERCE

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Colorado asks unanimous consent for the present consideration of a House resolution, which the Clerk will report.

The Clerk read as follows:

## House Resolution 212

*Resolved*, That the President be, and he is hereby, respectfully requested, if agreeable to him and available, to transmit to the Speaker of the House of Representatives the full text or transcript of his press conference of Friday, May 3, 1935, on the resolutions of the United States Chamber of Commerce on his legislative program.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The resolution was agreed to.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the resolution just adopted at this point.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, in presenting this resolution it is with no thought that its adoption imposes any obligation upon the part of the President to comply with it. The resolution itself asks for the text or transcript of his press conference on the resolutions of the United States Chamber of Commerce "if agreeable to him and available." It is wholly at his pleasure. If for any reason, or no reason, the text of the interview referred to is not transmitted to the Speaker of the House, it is entirely satisfactory to the author of the resolution.

My object in presenting the resolution is solely that the President may be invited, if he sees fit, to send up for the record his comment on the resolutions adopted by the United States Chamber of Commerce in convention at Washington last week, which constituted the first major offensive by the representatives of big business on his program as a whole. His comment is, of course, matter of great interest and importance.

Obviously big business thinks the zero hour has arrived for an open and general assault on the recovery and reform program. For several months now we have been treated to sporadic attacks on different features of the program, but this is the first time the big boys have gone into action all along the line.

Not only the resolutions adopted by the United States Chamber of Commerce, but the outstanding speeches of its spokesmen and leaders voice opposition to practically the whole program now pending before Congress and were evidently inspired by the belief that the time has come to go after Roosevelt in the hope of defeating him for reelection and returning to power another reactionary administration at Washington.

To show the reaction to these speeches on the part of the newspapers reporting the proceedings, I quote a few convention headlines from the Washington Post, a conservative newspaper:

United States Chamber of Commerce flays new deal on many fronts.

United States Chamber flays new deal on all fronts.

Bill by Wagner means strife, Chamber told.

Social-security measure assailed as wrong, dangerous.

Fight on new deal pressed by United States Chamber speakers.

"A. A. A. scuttling farm exports", Chamber told.

Government's meddling held bar to business.

United States Chamber spurs battle on banking bill.

Silas Strawn sees ignominious retreat in N. R. A. test cases.

Silas Strawn was formerly president of the chamber—

"Nation rejects N. R. A. and N. I. R. A." C. D. A. says.

Mr. Speaker, a column could be filled with these headings. The foregoing suffice. The text of the speeches as reported live up to the headlines, and the resolutions adopted show

that the speeches truly reflect the views and sentiments of the organization.

A few brief quotations from the resolutions indicate their trend.

On the National Industrial Recovery Act:

We believe that the present law should be allowed to expire in June of this year.

The collective-bargaining provisions of the present law have definitely disproved their worth.

Labor Relations: On the 30-hour-week bill and the National Labor Relations Board, the resolutions say:

To each of these proposals the chamber is definitely opposed.

Federal Reserve System:

We urge that no change be made in the Federal Reserve Act, except such as will provide further strength and usefulness to the present plan.

Social-security legislation:

We question the propriety as well as the constitutionality of any effort by the Federal Government designed to take jurisdiction over the subject matter of this proposed legislation.

Agricultural Adjustment Act:

We oppose any further extension of governmental authority over the freedom of action of the producers, processors, or distributors of basic agricultural commodities, as provided in the proposed amendments to the A. A. A.

Enumerating all the bills.

Utility bill of 1935:

All attempts to superimpose Federal regulations of operating companies upon State regulation should be abandoned.

Examination of this resolution in its entirety shows that in order to meet the objections to the holding-company bill, there will be nothing left.

Self-regulation of industry: This resolution enumerates the benefits and blessings of the self-regulation of industry and says:

Such conditions should be continued.

Little weight will attach to what I have to say about this action upon the part of a supposed nonpartisan gathering of business men, but whose speeches and resolutions sound more like a national convention of Republican politicians, but some weight should attach to the reaction on the part of newspapers none too friendly to the President's program.

The Washington Post, which so liberally reported the chamber's convention, was not so liberal in its comment on its action. Its editorial in its issue of May 4 is headed "A Bungling Attack", and the editorial is fully up to the heading. It ought to be taken to heart by these purblind leaders of big business who appear to be laboring under the delusion that the time is at hand for the resumption of its partnership with Government which was terminated on March 4, 1933, that is, if one can call the relationship of master and servant a partnership.

The newspaper, referring to the paragraph above quoted from the resolutions on social security, says:

The result is that the chamber's general endorsement of social security legislation appears to be mere lip service, if not actually insincere.

This, mind you, is not a Democratic Member of Congress speaking.

The editorial, after noting—

the significant silence of the chamber of commerce on the subject of the works-relief program, its advocacy of subsidies to merchant vessels, and its plea for Federal regulation of all forms of interstate commerce, showing that the business men of the country are far from averse to benefit from certain forms of Government aid—

Caustically adds:

They cannot expect to get away with an attitude which condemns all government intervention that offers no direct, tangible benefits to business.

The editorial carries equally caustic comment on the recommendation that the National Recovery Act be permitted to expire in June, but asking for emergency substitute legislation which would "greatly increase the privileges of or-

ganized industries operating under voluntary codes", while, "at the same time it condemns collective-bargaining arrangements which would give similar preferential position to organized labor."

It is small wonder—

The newspaper adds—

that the disposition to ask for more power and at the same time expressing disapproval of all policies that entail sacrifices for business, creates a most unfavorable impression.

The editorial also comments on the London reaction to the resolutions as follows:

The hostile attitude of the delegates toward administration policies is reported to have "shocked" the head of the United States Chamber of Commerce in London. He pointed out that British business had cooperated with the Government and had willingly undertaken sacrifices to speed recovery. He predicted that if American business fails to do likewise, it would get something worse.

The reaction of the head of the United States Chamber of Commerce in England is strikingly in accord with the warning voiced by United States District Judge John C. Knox, of New York, before the Harvard Club in New York on April 24.

Judge Knox is quoted by the press agencies as having stated that capitalism would best serve the interests of the Nation and its own if it revised its own program and came out for decent social legislation.

As decent social legislation the jurist stressed bank-deposit insurance, old-age pensions, and unemployment insurance; and he is quoted as stating that unless capitalism agrees to these and other needed reforms, it would be "scattered to the wrathful winds." I quote Judge Knox further:

The public has not forgotten the events of the recent past which came about as the result of capitalism indulgence in an orgy of unrestrained license \* \* \*. It remembers enormous bond issues that were authorized by dishonest and impecunious governments and sold to the public by the best known bankers and brokers in America.

It bears in recollection that individuals whose names are supposed to be synonymous with honored integrity used their power to rape the investors of the United States, and it doesn't hesitate to assess the blame.

And he concluded his remarkable arraignment of the system which has made a program of reform imperative with the following admonition:

If capitalism persists much longer in the belief that it is superior to the rest of humanity, and if it continues to exhibit the selfishness which has heretofore animated its being and which still stirs in its heart, the citadel of concentrated wealth is in danger of serious impairment.

Mr. Speaker, if the warning of Judge Knox had been uttered after the chamber of commerce convention, instead of before, it could not have been more applicable to the spirit and action of that assemblage. The speeches and resolutions were in defiance of the President and in defiance of the Congress. They were unquestionably based upon the belief that the tide has definitely turned and envisions a "return to normalcy" in 1936.

Mr. Speaker, I want to report to the President, from a small and distant outpost, that if there is a tide running it is not in that direction. If there is a danger to the administration it was not represented at the United States Chamber of Commerce in Washington. For what my judgment may be worth. I have never felt that the "new dealers" could sit down across the table from the "old dealers" and get a new deal out of it. I would welcome their open opposition rather than the alternative of having them pretend to string along with the administration only with the end in view of hamstringing it. There is no earthly way in which the President or the Democratic Party can get the support of the United States Chamber of Commerce and what it represents. The President and the party could only lose the support of millions of progressives, both Democrats and Republicans, in the attempt. The program should go through, every major measure on it, even if it takes all summer. Every measure considered vital to the completion of the program should be put on the books at this session of

Congress and be given a measure of time to work out. It is useless to think of coming back to Washington next winter and getting our case ready for submission to the people. This should be the answer of the President and Congress to the United States Chamber of Commerce.

#### CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

#### AMENDMENT OF WAR MINERALS RELIEF STATUTES

The Clerk called the first bill on the Consent Calendar, H. R. 2077, to amend section 5 of the act of March 2, 1919, generally known as the "War Minerals Relief Statutes."

Mr. JENKINS of Ohio and Mr. ZIONCHECK rose.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I may say I intend to object to this bill. This is a measure that provides for an expenditure of \$1,200,000. To save time I shall enter a formal objection at this time, because I understand this bill is to be brought up under suspension of the rules.

The SPEAKER. This bill requires three objections.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object—

Mr. VINSON of Georgia. Regular order, Mr. Speaker.

Mr. ZIONCHECK, Mr. McLEAN, and Mr. BACON objected.

#### PACIFIC EXPOSITION OF 1938 AT LOS ANGELES, CALIF.

The Clerk called the next resolution, House Joint Resolution 164, authorizing the President to invite foreign countries to participate in the Pacific Exposition of 1938 at Los Angeles, Calif.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I understand there is some conflict between the thriving cities on the western coast. They are all crowding us for world fairs at this time. We have already voted to do our part by San Diego and, personally, I think San Diego ought to have the first chance, and I am advised that these other cities are more or less infringing upon the rights of San Diego, and perhaps, somewhat retarding its chances for making their exposition a great success, and for this reason I object.

The SPEAKER. This bill requires three objections.

Mr. McLEAN and Mr. BLANTON also objected.

#### TO REPATRIATE NATIVE-BORN WOMEN WHO LOST NATIONALITY BY MARRIAGE TO AN ALIEN

The Clerk called the next bill on the Consent Calendar, H. R. 4354, to repatriate native-born women who have heretofore lost their citizenship by marriage to an alien, and for other purposes.

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### POWERS AND DUTIES OF UNITED STATES MARSHALS

The Clerk called the next bill on the Consent Calendar H. R. 5456, relating to the powers and duties of United States marshals.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 787 of the Revised Statutes (U. S. C., title 28, sec. 503), be, and the same is hereby, amended to read as follows:

"Sec. 787. It shall be the duty of the marshal of each district to attend the district courts when sitting therein and to execute all lawful precepts issued under the authority of the United States; and he shall have power to command all necessary assistance in the execution of his duty."

SEC. 2. That, in addition to all other powers, United States marshals and their deputies shall have the power to make arrests without warrant for any offense against the laws of the United States committed in their presence or for any felony cognizable under the laws of the United States in cases where there is reasonable ground to believe that such felony has been or is being committed and that the person to be arrested has committed or is committing it. The marshals and their deputies shall also have the power to carry firearms.

With the following committee amendments:

Page 2, line 6, strike out the words "there is reasonable ground to believe that", and in line 7, after the word "has", insert the words "in fact"; line 8, before the word "that", insert the words "they have reasonable grounds to believe."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### TO ASSIST LATIN AMERICAN REPUBLICS IN MILITARY AND NAVAL MATTERS

The Clerk called the next bill on the Consent Calendar, H. R. 3482, to amend the act of May 19, 1926, an act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the governments of the Latin American Republics in military and naval matters.

The SPEAKER. Is there objection?

Mr. O'MALLEY. Reserving the right to object, do I understand that under this bill the United States will assign enlisted men and officers to assist South American Republics in military preparations?

Mr. GUEVARA. No; the purpose of the bill is to amend the law of May 19, 1926, by including therein the Philippine Islands.

Mr. O'MALLEY. I have no objection.

Mr. McLEAN. Perhaps I can enlighten the gentleman. It has been the practice in the past for the United States to assign officers and enlisted men to the South American Republics to assist those republics in making their plans for national defense. All the expense is borne by those countries. This matter came before the Committee on Military Affairs on a proposal to amend the law so that the officers and enlisted men of the Army and the Navy of the United States could assist people of the Philippine Islands, in anticipation of their independence, to plan for their national defense. It was thought that it would be a friendly act on the part of the United States toward the Philippine Islands to enable them to have the same advantages in their study of this problem which we have given South American Republics.

Mr. O'MALLEY. Mr. Speaker, I withdraw my objection, because it adds to Santo Domingo the Philippine Islands. I think the original bill was wrong.

Mr. SNELL. Let me ask the gentleman: We have officers and enlisted men in the Philippine Islands now?

Mr. McLEAN. Yes; it will not involve any expense to the Government.

Mr. RANKIN. You do not intend to send the fleet there, that is to have the maneuvers in the Pacific?

Mr. McLEAN. No; I think that has more relation to San Diego and the success of the exposition this summer.

There being no objection, the Senate bill was substituted for the House bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the act of May 19, 1926 (Public, No. 247), be, and the same is hereby, amended by striking out the word "and" preceding the words "Santo Domingo" and inserting after the words "Santo Domingo" the words "and the Commonwealth of the Philippine Islands."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PAWNEE TRIBE OF INDIANS OF OKLAHOMA

The Clerk called the bill (H. R. 4376) for the relief of the Pawnee Tribe of Indians of Oklahoma.

The SPEAKER. Is there objection? This bill requires three objections.

Mr. BACON, Mr. JENKINS of Ohio, and Mr. TRUAX objected.

#### SAN FRANCISCO EXPOSITION OF 1938

The Clerk called House Joint Resolution 151, authorizing and requesting the President to invite the countries of the world to participate in the San Francisco Exposition of 1938 at San Francisco, Calif.

Mr. SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object. This bill is almost identical with the bill objected to sometime ago concerning a world's fair at Los Angeles. I object.

The SPEAKER. The bill requires three objectors.

Mr. McLEAN and Mr. BACON objected.

#### TO REPATRIATE NATIVE-BORN PERSONS

The Clerk called the bill (H. R. 3023) to provide for citizenship to persons born in the United States who have not acquired any other nationality by personal affirmative act, but who heretofore lost their United States citizenship through the naturalization of a parent under the laws of a foreign country, and for other purposes.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

#### PRELIMINARY EXAMINATION OF NEHALEM, MIAMI, AND OTHER RIVERS, OREG.

The Clerk called the bill (H. R. 4077) authorizing a preliminary examination of the Nehalem, Miami, Kilchis, Willson, Trask, and Tillamook Rivers in Tillamook County, Oreg., with a view to the controlling of floods.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object, and submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JENKINS of Ohio. There are five or six bills following in succession to this one, all of the same import. They are not identically the same, but they are all flood bills. My inquiry is to know whether, if we decide to pass the first one, we can pass all the rest of them without going through the formality of reading them all?

The SPEAKER. The Chair cannot answer that question, but the Chair thinks action better be taken with reference to each individual bill.

Mr. JENKINS of Ohio. Mr. Speaker, there are six or eight bills all in the same section of the United States. I shall not take the responsibility of objecting to the bill, but here is what these bills do. About a week or 10 days ago we passed a river and harbor bill. In that bill were many amendments which provided for the same thing exactly as this bill provides. In other words, for surveys by Army engineers of flood and river projects. We have had the matter up here repeatedly. We on this side used to object to these bills upon the ground that it is an invasion of the prerogatives of one committee by another. In other words, if the Committee on Rivers and Harbors has authority over these bills, the Flood Relief Committee ought not to have authority; but I am speaking more or less for the minority. We do not have the responsibility for legislation and I shall not object. I call attention of the leaders on the other side, however, to the fact that we are embarking on a policy that is unnecessary, if not dangerous. Here we are providing for surveys of a lot of projects, while the same officials who come in and say they have no objection to this—and I refer to the Army engineers. They say that they have no objection when the river and harbor projects are under consideration. I am not unfriendly to either of these plans, but there should be something done to fix the jurisdiction of these committees, so that their jurisdictions would not conflict. I shall say no more, but leave the responsibility where it belongs.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. MOTT. Will the gentleman withhold his request until I can make a very brief explanation?

Mr. TRUAX. Mr. Speaker, I concur in the position taken by the gentleman from Ohio [Mr. JENKINS]. In view of the fact that we have already passed the rivers and harbors bill, and in view of the fact that we have appropriated millions of dollars in the \$4,800,000,000 Federal works bill, to be on this same kind of project, I think it unwise and unfair to single out any particular State and pass these bills at this time. I hope the gentleman from Oregon will agree to let them all be passed over without prejudice so

that we may have further opportunity to enlighten ourselves on what the administration proposes to do in this regard.

Mr. MOTT. Mr. Speaker, I asked the gentleman to withhold his request until I can make a very brief statement. Then if he insists upon it, the bills may go over until the next Consent Calendar day. These are not river and harbor bills, as the gentleman seems to think. These are bills over which the Flood Control Committee has exclusive jurisdiction. The bills simply give authority for the making of a preliminary examination, not a flood-control survey, but a preliminary examination to determine whether or not a flood-control survey should be made.

They are made by the district engineers who are permanently stationed in Oregon, where these rivers are.

Mr. TRUAX. I think that is the very question that should be decided by the Department of the Interior and other departments that are now considering those projects for the entire country. There are other States which have the same right and the same claim upon these preliminary surveys as the gentleman's State.

Mr. MOTT. That is correct. Now, if the gentleman will permit me, there is no reason why any Member from any State should not introduce such a bill. If this were a bill for a preliminary survey of a river and harbor project, the gentleman understands it would not have to come into Congress at all. A resolution from the committee is sufficient; but that is not the case with a preliminary examination of a river with a view to determining whether or not a flood-control survey should be made. That must be done by introducing a bill for that purpose. The bill must be sent to the committee, the committee must report it out, and the House must pass it.

A bill of this kind does not necessitate the expenditure of additional money. The resident engineers, not only in Oregon but in every State, already have nearly all of the data in regard to the report that we are asking them to make, but they cannot make the report unless by a bill of this kind they are authorized to do so. They go through the district continuously. They have accumulated data on the flood conditions of each one of these rivers. All this bill really provides is the authority to officially compile those data and report it, so that it will be officially available when P. W. A. is ready to consider flood-control projects.

Mr. SCHULTE. Mr. Speaker, regular order.

The SPEAKER. Regular order is demanded. Is there objection to the request of the gentleman from Ohio [Mr. TRUAX]?

Mr. MOTT. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX. I object to the consideration of the bill.

#### PRELIMINARY EXAMINATION OF THE UMPQUA RIVER, OREG.

The Clerk called the next bill, H. R. 5651, authorizing a preliminary examination of the Umpqua River, Ore.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX. Mr. Speaker, I object.

#### PRELIMINARY EXAMINATION OF COQUILLE RIVER, OREG.

The Clerk called the next bill, H. R. 5773, to authorize a preliminary examination of Coquille River and its tributaries in the State of Oregon with a view to the control of its floods.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### PRELIMINARY EXAMINATION OF ROGUE RIVER, OREG.

The Clerk called the next bill, H. R. 5774, to authorize a preliminary examination of Rogue River and its tributaries in the State of Oregon with a view to the control of its floods.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### PRELIMINARY EXAMINATION OF SIUSLAW RIVER, OREG.

The Clerk called the next bill, H. R. 5775, to authorize a preliminary examination of Siuslaw River and its tributaries in the State of Oregon with a view to the control of its floods.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### PRELIMINARY EXAMINATION OF YAQUINA RIVER, OREG.

The Clerk called the next bill, H. R. 5776, to authorize a preliminary examination of Yaquina River and its tributaries in the State of Oregon with a view to the control of its floods.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. MOTT. Mr. Speaker, reserving the right to object, since the first two of this group of bills were objected to, I have not objected to the following bills in this group going over until the next time without prejudice. I desire at this time to withdraw my objection to the request of the gentleman from Ohio with reference to Calendar Nos. 49 and 50, and I now ask unanimous consent that they may go over without prejudice until the next Consent Calendar day.

Mr. TRUAX. That will be agreeable to me.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. TRUAX] that this bill be passed over without prejudice?

There was no objection.

The SPEAKER. The gentleman from Oregon [Mr. MOTT] asks unanimous consent that Calendar No. 49, H. R. 4077, and Calendar No. 50, H. R. 5651, be passed over without prejudice. Is there objection?

There was no objection.

Mr. MOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOTT. Calendar Nos. 50, 51, 52, 53, 54, and 55 have all been passed over without prejudice?

The SPEAKER. Calendar No. 55 has not yet been reached.

The Clerk will call the next bill.

#### PRELIMINARY EXAMINATION OF SILETZ RIVER, OREG.

The Clerk called the next bill, H. R. 5777, to authorize a preliminary examination of Siletz River and its tributaries in the State of Oregon with a view to the control of its floods.

Mr. MOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

#### APPROPRIATION FOR BOOKS FOR ADULT BLIND

The Clerk called the next bill, H. R. 6371, to authorize an increase in the annual appropriation for books for the adult blind.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Reserving the right to object—and I shall not object—I make this reservation to say that we on the Republican side feel this is a very fine bill, and I am in favor of it. I favor any reasonable effort to do something for the most unfortunate group of our people—the poor blind.

Mr. WOLCOTT. Reserving the right to object, I heartily agree with what the gentleman from Ohio [Mr. JENKINS] says, but I notice that this bill comes from the Committee on the Library and it appropriates \$175,000. For the purpose of protecting the Committee on Appropriations in respect to appropriations, I wish the gentleman from Illinois [Mr. KELLER] would explain why an appropriation is made and not authorized, as is customary in these bills.

Mr. KELLER. The fact is, it is an authorization rather than an appropriation. That was the intention of the bill. The bill is an authorization and not an appropriation. The reason for the increase is simply this: This Congress has

for a number of years prior appropriated under regular law \$100,000 a year for the printing of what is called the "Braille" system of raised letters for the blind of the country. During the past year there has been developed a very excellent system of sound-producing records so that blind people may hear books read. The fact is that about one-fourth of the blind people of the United States can use the Braille system. The other three-quarters, becoming blind later in life, did not learn to use the Braille system. Therefore it has been the effort on the part of those interested in that matter to develop some system by which those who have not developed the sensibility at the end of their fingers could get some way of reading books. That has been worked out finally. For the purpose of trying that out and giving effect to three-quarters of the blind of this country, this authorization of \$75,000 is asked for.

Mr. WOLCOTT. Mr. Speaker, I want to say to the gentleman from Illinois that I am heartily in accord with the bill. I think it is a splendid movement and that the fund should be increased. If the gentleman is certain this bill merely authorizes the expenditure instead of appropriating the money, then, of course, I shall have no objection to the bill.

Mr. KELLER. It makes the authorization only.

Mr. TRUAX. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. TRUAX. Personally, I feel that this is a worthy project, but I would like to ask the gentleman if the American School Book Trust has anything to do with it?

Mr. KELLER. No; of course not.

Mr. TRUAX. I am glad to hear the gentleman say that. Mr. Speaker, I have no objection.

Mr. KELLER. I may say further that the machines for using these records are not to cost the Government a penny. They are provided for the blind people of the country by liberal-minded people who are interested in them. There is no cost to the Government outside of the cost of making the records.

Mr. ZIONCHECK. And, if the gentleman will yield, these records are made by a nonprofit corporation, are they not?

Mr. KELLER. Yes, sir.

Mr. DUNN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. DUNN of Pennsylvania. I wish to confirm the statement made by the gentleman from Illinois. It is absolutely correct. About 30 percent only of the blind people are able to read by the Braille system; 70 percent are unable to because most of them lost their sight after age 45. I want the gentleman to know I appreciate his interest in this bill.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. TREADWAY. I wish to supplement what the Chairman of the Committee on the Library has said. This committee has gone into the merits of this increased appropriation with a great deal of care. The bill has the active support and cooperation of those in the Library in charge of the interests of the blind. I think we should be governed largely by their suggestions and recommendations. I heartily agree with the chairman of the committee as to the merits of the bill.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. JENKINS of Ohio. One reason I feel so strongly for this bill is that a few days ago I had the opportunity of observing a demonstration of the wonderful improvements in sound machinery for the benefit of the blind. Furthermore, this is directly in line with the fight I made at the time the social-security bill was under consideration, to provide more relief for the poor blind people.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 1, as amended, of the act entitled "An act to provide books for the adult blind", approved March 3, 1931 (U. S. C., Supp. VII, title 2, sec. 135a), is amended (1) by striking out "\$100,000" and inserting in lieu thereof "\$175,000", and (2) by inserting before the period at the end thereof a colon and the following: "Provided, That of said annual appropriation

of \$175,000, not exceeding \$100,000 thereof shall be expended for books in raised characters, and not exceeding \$75,000 thereof shall be expended for sound-reproduction records."

Sec. 2. This act shall be applicable with respect to the fiscal year ending June 30, 1936, and for each fiscal year thereafter.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### NOME, ALASKA

The Clerk called the next bill, H. R. 5707, to ratify and confirm the corporate existence of the city of Nome, Alaska, and to authorize it to undertake certain municipal public works, including the construction, reconstruction, enlargement, extension, and improvement of its sewers and drains, fire-fighting system, streets and alleys, sidewalks, curbs and gutters, and a municipal building, and for such purposes to issue bonds in any sum not exceeding \$100,000.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the corporate existence and present boundaries of the city of Nome, Alaska, a municipal corporation of the Territory of Alaska, second judicial division, are hereby recognized, ratified, and confirmed; and the same shall not be open to question in any court of law on the ground of destruction of records or otherwise.

Sec. 2. That the incorporated city of Nome, Territory of Alaska, is hereby authorized and empowered to undertake the municipal public works hereinafter specified or any one or more thereof, and for such purposes to issue bonds in any amount not exceeding in the aggregate the sum of \$100,000. Said city of Nome, Alaska, is hereby authorized and empowered (a) to construct, reconstruct, enlarge, extend, and improve its sewers and drains, and for such purpose to issue bonds in any sum not exceeding \$15,000; (b) to construct, reconstruct, enlarge, extend, and improve its fire-fighting system, and for such purpose to issue bonds not exceeding \$35,000; (c) to construct, reconstruct, enlarge, extend, and improve its streets and alleys, and for such purpose to issue bonds not exceeding \$12,000; (d) to construct, reconstruct, enlarge, extend, and improve its sidewalks, curbs, and gutters, and for such purpose to issue bonds not exceeding \$20,770; (e) to construct a municipal building, and for such purpose to issue bonds not exceeding \$17,230.

Sec. 3. Before said bonds shall be issued a special election shall be ordered by the common council of the said city of Nome, Alaska, at which election the question of whether such bonds shall be issued in the amount specified for any or all of the purposes hereinbefore set forth shall be submitted to the qualified electors of said city of Nome, Territory of Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than 20 days' notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the city of Nome, Territory of Alaska, one of which shall be at the front door of the United States post office at Nome, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for each of the purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general for special elections in said municipality; and said bonds shall be issued for any or all of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose or purposes.

Sec. 4. The bonds herein authorized to be issued shall be coupon in form and shall mature in not to exceed 30 years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding 30 years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said city of Nome. The bonds shall bear the signature of the mayor and of the clerk of the city of Nome, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Nome, not to exceed, however, 6 percent per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Sec. 5. The bonds herein authorized to be issued shall be general obligations of the city of Nome, Territory of Alaska, payable

as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

SEC. 6. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this act. Said bonds shall be sold only when and in such amounts as the common council of the city of Nome shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as such proceeds may be required for said purposes.

SEC. 7. The city of Nome is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and acts amendatory thereof and acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with the provisions of this act or for the acceptance of a grant of money to aid said municipality in financing any public works herein authorized; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Nome and the United States of America or any agency or instrumentality thereof or any such purchaser.

SEC. 8. This act shall take effect immediately.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. R. 3482

Mr. GUEVARA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill (H. R. 3482) just passed.

The SPEAKER. Is there objection to the request of the Commissioner from the Philippine Islands?

There was no objection.

Mr. GUEVARA. Mr. Speaker, the bill now under consideration is founded upon the principle that national security is the first and most important responsibility of a self-governing commonwealth. This is also true as to a sovereign and independent government.

This axiom which constitutes the whole philosophy of a national life is clearly understood by the leaders of the Filipino people, who are already turning their attention toward the solution of the many problems that will arise in the Philippine Islands coincidentally with the inauguration of its commonwealth. They realize fully that when that moment arrives there must be in effective operation a system of defense faithfully adjusted to the requirements of the Philippine Islands and capable of sustaining the integrity of the new commonwealth. Development of such a system will constitute one of the most difficult tasks to be undertaken by the future Philippine government upon its inauguration during the late summer of the current year. The Congress of the United States, in passing Public Act 127, Seventy-third Congress, commonly known as the "Tydings-McDuffie law", had for its aim and purpose the enfranchisement of the people of the Philippine Islands with the right to govern themselves and to assume certain obligations and responsibilities inherent to a self-governing country and compatible with the sovereignty of the United States. One of these obligations and responsibilities that arises from the right of self-government is to provide means for stability and security in cooperation with the United States as a sovereign power.

The Filipino people are prepared and willing to take the share that in this respect belongs to them. Even though that complete responsibility for determining the form, the size, the function, and the composition of the defensive force that is permanently to endure must rest upon the Filipino people, nevertheless, the cooperation and advice of the United States is essential. The devising and setting up of the requisite machinery for the purpose of obtaining an effective defense of the commonwealth of the Philippine Islands should be the result of a common accord between the United States and the Philippine Islands. Upon the accuracy of these decisions and the promptness and effectiveness with which they must be executed may depend the future welfare of the Filipino people.

Passage of the bill now under consideration will assure the commonwealth government of the Philippines of a vitally necessary type of assistance in approaching this difficult and important problem. The kind of assistance to which I refer comprises technical knowledge and professional skill, the need for which will be urgent.

It is no reflection upon the capacity of my people if I say at the outset that we have had no experience in dealing with fundamental questions pertaining to national security. The responsibility for defense and major policies connected with our national security have at all times devolved upon the country to which we owe allegiance.

We have produced good soldiers and we are proud of them. However, we have produced no General Staff. We number among our people many splendid combat officers, but not a sufficient number of profound students of the military art. But if the Congress of the United States will authorize us to utilize the services of qualified experts from the Army of this Nation until the time arrives when we can develop among our own people an efficient General Staff which can proceed promptly and confidently to the solution of problems whose urgency permits of no delay, I am certain that the stability and security of the Commonwealth of the Philippines will be assured.

Adoption of the bill now under consideration will not only authorize the professional assistance we seek but will give assurance that it will be rendered in such fashion as to accord full recognition to our own inescapable responsibility. It should be our common aim and purpose to establish in the Philippines a self-sufficient and self-reliant defense. If this is not done it will be fatal.

While it may be presumed that this kind of assistance could be rendered by the United States under informal agreement between the Philippines and the American defense department, such an arrangement would not be as satisfactory as would one bearing the positive sanction of Congress. Without this sanction there would be no assurance as to the continuity and permanency of the arrangement. This consideration is extremely important to the Philippines, as the new government will naturally want to be assured that the professional assistance rendered will be available as long as it may prove necessary, and that it will be available from the same source.

In view of the political relationship existing between the United States and the Philippine Islands, our people would, without question, prefer that the source of help be from this great Nation. We have an undying faith in the friendly intentions of the United States toward our people and in her altruistic attitude toward our domestic problems. It would be a great disappointment to us were we compelled to look to some other nation for the assistance and encouragement which the Filipino people are sure the American Congress will be glad to grant, for it understands the urgency of our need and the importance of our problem.

I would be recreant to my duty if I did not say to the world that the military establishment of the Philippines will, both by the determined desire of the Filipino people and by the requirements of their situation, be purely and passively defensive. Entirely aside from our pacific and nonaggressive intentions, important considerations of geography, finances, and comparative size preclude any possibility of building up any military machine that could be utilized for aggressive purposes. I can assure this House that the sole purpose of the future government of the Philippine Commonwealth will be to organize a defensive system that can assure domestic tranquillity and safety from attack.

An efficient defense, established and maintained with this single objective, cannot, by any stretch of the imagination, be considered as a menace to the peace or security of any other nation. To the contrary, it will be a stabilizing influence in that part of the world and will promote the free flow of commerce and protect the concept of liberty and justice upon which our government will be founded. It will stand as a bulwark between my people and any attempted interference with their inalienable rights. These objectives and these ideals have been duly represented to the

executive departments of the Government of the United States.

Permit me to say in closing that the element of time is important. The process of establishing the broad lines of our defensive system should be undertaken immediately upon the inauguration of the government of the Philippine Commonwealth, which, it is anticipated, will take place within a few months. This explains our anxiety that the authorization sought in the bill now under consideration be accorded promptly, so that no moment may be wasted in approaching a task which will require our devoted efforts throughout every minute of the time available. Permit me, Mr. Speaker, to assure the American people that the adoption of the bill now under consideration will be gratefully appreciated by the Filipinos. It will be regarded as additional and significant evidence of the sympathetic, cooperative attitude and friendly understanding that has habitually characterized the American Government in all its dealings with the Philippine Islands.

#### CONSENT CALENDAR

##### DISPOSAL OF CERTAIN SURPLUS PERSONAL PROPERTY

The Clerk called the next bill on the Consent Calendar, H. R. 60, to authorize the disposal of surplus personal property, including buildings, of the Emergency Conservation Work.

Mr. NICHOLS. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill, the gentleman from Georgia [Mr. TARVER], the purpose of the bill.

Mr. TARVER. In the Emergency Conservation Work there is oftentimes a situation under which a great deal of property which might be useful for some purpose, but which is of no use to the Government, must be junked and sold for practically nothing, since the Government authorities having it in charge do not have authority to transfer it to others who could make good public use of it. For example, there are many C. C. C. camps which, having served their purpose, are being abandoned. They are equipped with temporary wooden buildings which would be worth nothing if junked, but which could well be used as camps for 4-H clubs, Boy Scout camps, camps for tubercular patients, camps for undernourished children, and they could be put to other similar uses.

The bill proposes to authorize the authorities of the Government—that is, the Director of Procurement of the Treasury Department—under the recommendation of the department of the Government having jurisdiction over the camp which is abandoned, to transfer such surplus property for which the Government has no use to State, county, or municipal authorities for use by 4-H clubs, or for public health, recreational, educational, or similar uses.

Mr. NICHOLS. The bill does not provide, then, for the sale of these wooden buildings for some small cash consideration to private individuals?

Mr. TARVER. Oh, no. It authorizes the donation to local authorities of these buildings and of other property of this character where it may be used locally, and where the Federal Government has no use for it.

Mr. NICHOLS. The bill states "surplus personal property." Will the gentleman tell me what agent determines whether it is surplus or not; is it Admiral Peoples?

Mr. TARVER. The Director of the Emergency Conservation Works. However, the companion Senate bill, S. 82, has been amended to require the recommendation of the head of the department which has under its jurisdiction the C. C. C. camp which has been abandoned.

Mr. NICHOLS. The gentleman is sure that there is nothing in the bill which will cripple the program of establishing C. C. C. camps and E. C. W. camps over the United States? That is the thing I am interested in primarily.

Mr. TARVER. Absolutely not. The bill has been favorably recommended by every department of the Government which has anything to do with its provisions.

Mr. McLEAN. Mr. Speaker, reserving the right to object, and I feel I shall have to object, because this Congress has

made a signal reputation in the matter of the use of language.

There has grown up in the legal profession the abortive phrase "and/or" which no one understands. So far as further legislation of the Congress is concerned, those of us who believe in preserving the dignity and importance of our jurisprudence and the proper use of language in legal parlance ought not to permit the use of the abortive phrase "and/or" to further enter into legislation which is to be passed by this Congress. There are other reasons which constrain me to object; therefore, Mr. Speaker, I object.

Mr. TARVER. Will the gentleman reserve his objection? Does the gentleman's objection relate only to the words "and/or"?

Mr. McLEAN. No; I have grave fears as to the principal. Mr. TURNER demanded the regular order.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McLEAN. Mr. Speaker, I object.

#### ADDITIONAL CIRCUIT JUDGE FOR THE NINTH JUDICIAL DISTRICT

The Clerk called the next bill, H. R. 5917, to appoint an additional circuit judge for the ninth judicial district.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX. Mr. Speaker, reserving the right to object, in reference to this bill providing for the appointment of an additional judge, I wonder if the gentleman would agree to pass it over without prejudice?

Mr. LLOYD. I would rather not. This is a bill about which I spoke to the gentleman from Ohio [Mr. TRUAX] and his colleague the gentleman from Ohio [Mr. YOUNG], when it was reached the other day, and I thought we had an agreement that the bill was meritorious.

Mr. TRUAX. I intended to make the same request in reference to another bill that is farther down the calendar.

Mr. LLOYD. There really exists an emergency, may I say to the gentleman.

Mr. TRUAX. What is the emergency?

Mr. LLOYD. The emergency is that the court is away behind with its docket. The gentleman will notice the letter from the Attorney General, in which he has gone further, I believe, than I have ever known him to go in connection with the recommendation of this important legislation.

Mr. YOUNG. Mr. Speaker, I may say to my colleague the gentleman from Ohio that I am opposed to inferior Federal judges as a class. I think as a class the inferior Federal judiciary of our country has been arbitrary and tyrannical, but in this instance I have investigated the matter personally and in comparison with the other districts in the country I feel there is a real need for the additional circuit judge called for in this bill. Some of these other bills calling for additional district and circuit judges I feel are not meritorious, but, personally, I feel this is a meritorious bill.

Mr. TRUAX. I have great respect for the judgment of the gentleman from Ohio [Mr. Young], but I would like to ask him if he feels our mutual constituents back home, the farmers, the small business men, and the laboring men favor an appropriation for the appointment of additional judges? I have heard the gentleman say that if the present judges devoted more time to their duties and did not take so many vacations there would be no need for additional judges.

Mr. YOUNG. I may say to the gentleman that I personally look forward with hope to the day when all of the inferior Federal judges and the inferior Federal judiciary of our country is done away with and we have only the Supreme Court of the United States.

Mr. TRUAX. Is this not a good time to start now with that policy?

Mr. YOUNG. I think it would be time to start soon.

Mr. TRUAX. Mr. Speaker, I renew my request that this bill be passed over without prejudice.

Mr. ZIONCHECK. Will the gentleman reserve his request at this time?

Mr. TRUAX. I withhold my request.

Mr. ZIONCHECK. Does the gentleman realize that in the ninth circuit they have cases coming to them from China, Hawaii, and Alaska, not alone the other States which they take in, and that they have a more crowded calendar than any other circuit in the United States?

Mr. TRUAX. I may say to the gentleman that would be one case which has come to my attention where they might really be earning their money. I cannot say that is true as to the group, however.

Mr. LLOYD. I hope the gentleman will not object.

Mr. TRUAX. Mr. Speaker, I renew my request that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

OBSERVANCE AND CELEBRATION OF THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE ORDINANCE OF 1787 AND THE SETTLEMENT OF THE NORTHWEST TERRITORY

The Clerk called the next resolution, House Joint Resolution 208, to provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask my colleague the gentleman from Ohio [Mr. SECREST] if this bill is not known to some of us as the bill for the relief of George White, ex-Governor of Ohio?

Mr. SECREST. I may say to the gentleman that ex-Governor White has no official connection with this matter.

Mr. TRUAX. He will have if the bill becomes law.

Mr. SECREST. If he does, it can only be by appointment by the President of the United States; and, of course, I am not in position to speak for the President. I may say that this celebration is planned in connection with the six States formed from the old Northwest Territory.

Mr. TRUAX. Mr. Speaker, this resolution authorizes an appropriation of \$100,000 for the celebration of the one hundred and fiftieth anniversary of the purchase of the Northwest Territory. The first settlement in that territory was at Marietta, Ohio. I am informed that this bill has been called by some "a bill for the relief of George White, ex-Governor of Ohio", a citizen of Marietta. I have a tentative budget submitted by the gentleman who, I understand, is to be the director-manager, in which he estimates some of the expenditures for which this \$100,000 is being appropriated.

Mr. KELLER. Who is that?

Mr. TRUAX. His name is Hawes.

Mr. SECREST. May I say to the gentleman that Mr. Hawes has no official connection with this celebration, except through the commission.

Mr. TRUAX. I understand that matter.

Mr. SECREST. This is merely a budget which is set up in his opinion. It is simply one man's idea.

Mr. TRUAX. But, as I understand it, Mr. Hawes is to be made the manager-director, and this is to be a 3-year job.

Mr. SECREST. There is no such understanding with him on anybody's part.

Mr. TRUAX. The tentative budget submitted to me under date of April 25, 1935, says, "This is a 3-year job." Furthermore, Mr. Speaker, they propose to spend from \$30,000 to \$40,000 of the \$100,000 in the preparation of maps of the Northwest Territory. They are going to send out about three or four million copies of this map, at a probable cost of \$30,000 to \$40,000.

Mr. KELLER. Mr. Speaker, will the gentleman yield for a question?

Mr. TRUAX. Yes.

Mr. KELLER. Where did the gentleman get all that stuff?

Mr. TRUAX. I get this from the budget submitted by the gentleman who expects to run the show.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice, so that the matter may be settled on the outside; otherwise I am going to object at this time.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I appreciate the work the gentleman from Washington is doing over there, and I appreciate the fact that two Ohio gentlemen are in a little wrangle, but they are going to agree.

Mr. TRUAX. No; we are not agreeing.

Mr. JENKINS of Ohio. If the gentleman from Ohio [Mr. TRUAX] insists on objecting, I withdraw my reservation.

Mr. TARVER. Regular order, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. ZIONCHECK] that the bill be passed over without prejudice?

There was no objection.

AMENDMENT OF NATIONAL BANKRUPTCY ACT

The Clerk called the next bill, H. R. 5797, to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory and supplementary thereto.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That subsection (b), as amended and supplemented, of section 4 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, is amended by inserting after the word "wage earner" a comma and the following: "a raiser of livestock".

Sec. 2. That subsection (r) of section 75 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is amended by inserting after the words "the term 'farmer' means" the words "any raiser of livestock or."

Mr. GASSAWAY. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 1616) be substituted for the House bill (H. R. 5797) and that the Senate bill be amended by striking out all after the enacting clause of the Senate bill and substituting therefor the House bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the Senate bill (S. 1616) be substituted for the House bill. Is there objection?

Mr. HEALEY and Mr. WOLCOTT reserved the right to object.

Mr. HEALEY. Will the gentleman state whether this takes in the poultry farmers?

Mr. GASSAWAY. Yes. This takes in every person who is engaged in any occupation that uses any material that is raised by a farmer.

Mr. HEALEY. That is all I want to know.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman from Oklahoma if the Senate bill is identical with the House bill.

Mr. GASSAWAY. I do not think so, because the Senate bill specifically sets up the word "farmer", and this bill will take care of every person who is engaged in the raising of livestock or poultry or engaged in dairying or any other branch of labor, the profits from which are derived from the products of the soil.

Mr. WOLCOTT. I still do not understand the gentleman's distinction. The bankruptcy law at the present time exempts the farmers from the operation of the bankruptcy law in that a farmer cannot be declared an involuntary bankrupt.

Mr. GASSAWAY. Yes.

Mr. WOLCOTT. I understand the purpose of this act is to clarify a doubt which has been raised in the minds of some of the courts as to whether a stock raiser or a cattle raiser is a farmer. I had no objection to the House bill, because I felt that was about all that it did. Wherein does the Senate bill differ from the House bill?

Mr. GASSAWAY. The only difference will be that it will save us about 2 weeks' time by amending the Senate bill and sending it back to the Senate.

Mr. WOLCOTT. What difference is there in the substitution of the Senate bill for the House bill?

Mr. DEMPSEY. If the gentleman from Oklahoma will permit, the Senate bill provides for stock raisers and the House went further than that and included poultry raisers and dairymen.

Mr. WOLCOTT. Is not the House bill a better bill than the Senate bill?

Mr. DEMPSEY. Yes; and the gentleman from Oklahoma is asking unanimous consent to substitute the Senate bill, striking out all after the enacting clause and substituting the House bill.

Mr. WOLCOTT. It seems to me that destroys that feature of the House bill by which poultry raisers, and so forth, are brought in.

Mr. DEMPSEY. No; that will bring them in.

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. HEALEY. Does the Senate bill provide for the dairymen and the poultry raisers?

Mr. DEMPSEY. We are proposing to amend the Senate bill by doing that now.

Mr. HEALEY. You are amending the Senate bill to do that?

Mr. DEMPSEY. Yes.

Mr. HEALEY. Is the gentleman sure about that?

Mr. DEMPSEY. Yes.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. As I understand the unanimous-consent request, it is to strike out all after the enacting clause of the House bill and substitute the Senate bill?

The SPEAKER. The gentleman stated his purpose to be to strike out all after the enacting clause of the Senate bill and substitute the House bill.

Mr. WOLCOTT. Mr. Speaker, is not the parliamentary situation such that we would have to call up the Senate bill to do that?

The SPEAKER. The gentleman is asking that that be done, and as the Chair understands it, if the gentleman's unanimous-consent request is granted, the gentleman proposes to offer an amendment striking out all after the enacting clause of the Senate bill and substituting therefor the House bill.

Mr. WOLCOTT. That clarifies the situation and I have no objection.

The SPEAKER. Is there objection to the substitution asked by the gentleman from Oklahoma [Mr. GASSAWAY]?

Mr. HEALEY. Reserving the right to object, I see nothing in the Senate bill that provides for the dairymen or the poultrymen.

Mr. DEMPSEY. The gentleman from Oklahoma is going to move to strike out all after the enacting clause in the Senate bill and substitute the House bill.

Mr. HEALEY. Then I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill (S. 1616), as follows:

*Be it enacted, etc.,* That subsection (b), as amended and supplemented, of section 4 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, is amended by inserting after the word "wage-earner" a comma and the following: "a raiser of livestock."

Sec. 2. That subsection (r) of section 75 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is amended by inserting after the words "the term 'farmer' means any raiser of livestock or."

Mr. GASSAWAY. Mr. Speaker, I move to strike out all after the enacting clause and insert the provisions of H. R. 5797 as amended.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following: "That subsection (b), as amended and supplemented, of section 4 of the act entitled 'An act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, is amended to read as follows:

"(b) Any natural person, except a wage earner or a farmer, any unincorporated company, and any moneyed business, or commercial corporation (except a municipal, railroad, insurance, or banking corporation, or a building and loan association) owing debts to the amount of \$1,000 or over, may be adjudged an involuntary bankrupt upon default or an impartial trial, and shall be subject to the provisions and entitled to the benefits of this act.

"The bankruptcy of a corporation or association shall not release its officers, directors, or stockholders, as such, from any liability under the laws of a State of Territory or of the United States."

"Sec. 2. That subsection (l) of section 74 of the act entitled 'An act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, as amended and supplemented, is amended to read as follows:

"(l) If (1) the debtor shall fail to comply with any of the terms required of him for the protection of and indemnity against loss by the estate; or (2) the debtor has failed to make the required deposit in case of a composition; or (3) the debtor's proposal has not been accepted by the creditors; or (4) confirmation has been denied; or (5) without sufficient reason the debtor defaults in any payment required to be made under the terms of an extension proposal when the court has retained jurisdiction of the debtor or his property, the court may appoint the trustee nominated by the creditors at the first meeting, and if the creditors shall have failed to so nominate, may appoint any other qualified person as trustee to liquidate the estate. The court shall in addition adjudge the debtor a bankrupt if satisfied that he commenced or prolonged the proceeding for the purpose of delaying creditors and avoiding an adjudication in bankruptcy, or if the confirmation of his proposal has been denied. No order of liquidation or adjudication shall be entered in any proceeding under this section instituted by or against a wage earner or a farmer unless the wage earner or farmer consents."

"Sec. 3. That subsection (r) of section 75 of the act entitled 'An act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, as amended and supplemented, is amended to read as follows:

"(r) For the purposes of this section, section 4 (b), and section 74, the term "farmer" includes not only an individual who is primarily bona fide personally engaged in producing products of the soil but also any individual who is primarily bona fide personally engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state, or the principal part of whose income is derived from any one or more of the foregoing operations, and includes the personal representative of a deceased farmer; and a farmer shall be deemed a resident of any county in which such operations occur."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The bill H. R. 5797 was laid on the table.

#### APPEALS IN CRIMINAL CASES FROM THE DISTRICT COURT OF ALASKA

The Clerk called the next bill on the Consent Calendar, H. R. 6114, to amend section 128 of the Judicial Code, as amended.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Reserving the right to object, may I ask the chairman of the committee why there is an apparent inconsistency between the amount that is involved in a case of an appeal from the District Court of Alaska to the ninth judicial district and the amount in the original act for appeal in the other district courts? Is there a special act creating the District Court of Alaska requiring a different amount for an appeal from other district courts?

Mr. SUMNERS of Texas. I yield to the gentleman from Alaska to answer the gentleman's question.

Mr. DIMOND. In answer to the inquiry of the gentleman from Michigan, let me say that when the Judicial Code was passed Alaska and the Virgin Islands were put in a separate category so far as the bill is concerned. Appeals from any other district court of the United States could be had in a criminal case, whereas in Alaska you could only take an appeal in a criminal case if the amount of the fine involved a thousand dollars or imprisonment in jail for more than a year. The object of the amendment is to put Alaska in the same class as other district courts. This has been approved by the Attorney General and is in the interest of uniformity.

Mr. WOLCOTT. It does not change in any respect the Code as to other district courts or the amount involved?

Mr. DIMOND. Not at all; it does not change the law with reference to district courts in the United States. It only puts the District Court of Alaska in harmony with the others.

Mr. JENKINS of Ohio. Is it not possible that there will be extra expense for the litigants to come to the United States?

Mr. DIMOND. No; there will be no objection, because it applies mostly to criminal cases. There is no objection to it from any source.

Mr. JENKINS of Ohio. The litigants will have to pay the expense.

Mr. DIMOND. Yes.

Mr. SUMNERS of Texas. In the Territory of Alaska there is no court of appeals. This is the best thing that can be done under the situation.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.,* That paragraph "Third" of subsection (a) of section 128 of the Judicial Code, as amended (43 Stat. 936 U. S. C. title 28, sec. 225 (a)), be, and it is hereby, amended to read as follows:

"Third. In the district courts for Alaska or any division thereof, and for the Virgin Islands, in all civil cases, wherein the Constitution or a statute or treaty of the United States or any authority exercised thereunder is involved; in all other civil cases wherein the value in controversy, exclusive of interest and costs, exceeds \$1,000; in all criminal cases and in all habeas corpus proceedings; and in the District Court for the Canal Zone in the cases and mode prescribed in the act approved September 21, 1922, amending prior laws relating to the Canal Zone."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### TRANSFER OF CERTAIN LANDS IN HOPKINS COUNTY, KY.

The Clerk called the bill (H. R. 3012) to authorize the transfer of certain lands in Hopkins County, Ky., to the Commonwealth of Kentucky.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object. I notice that the report does not state anywhere why the Government is giving up these 5,000 acres.

Mr. CARY. Mr. Speaker, the Government is not giving up 5,000. It is giving up only 447½ acres. Immediately after the World War a veterans' hospital was established out of some territory carved out of the two counties, Hopkins and Christian, in Kentucky. The citizens of that locality donated to the Government 5,000 acres. There are 447½ acres of land that the Veterans' Bureau cannot use. It is cut off by a stream. It is now desired to donate that land to the State of Kentucky to make a park.

Mr. JENKINS of Ohio. The report does not show where the land came from. With that explanation, I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs is authorized and directed to convey to the Commonwealth of Kentucky, for State park purposes, without expense to the United States, all the right, title, and interest of the United States in and to certain lands in Hopkins County, Ky., described as follows:

Beginning at an iron-pipe corner marked "H. L. & I. Co.-G. W. Beshear-Alexander Estate-C. T. Kirkwood-No. '1'", in a fence line, on the southerly side of a road, about 30 feet southerly from a culvert at a right-angle turn in a road, willow pointer;

Thence north 73°33'30" west 1,979.86 feet to a square stone marked "No. '2'", on a flat, at a large leaning sweetgum, sweetgum and poplar pointers;

Thence north 73°32'40" west 1,365.12 feet to a square-stone corner marked "No. '3'", on a flat at a fence corner, large spanish-oak and hackberry pointers; said corner no. 3 being also a corner to the property of L. B. Lamson;

Thence north 17°32'50" east 987.19 feet to an iron-pipe corner marked "H. L. & I. Co.-L. B. Lamson-No. '4'", on a southerly slope, near the northwesterly edge of a flat, about 200 feet southerly from a road, large beech and forked beech pointers;

Thence north 58°6'30" east 841.08 feet to a square-stone corner marked "No. '5'", on top of a sandstone cliff, sweetgum and white-oak pointers, both small;

Thence north 3°25'30" east 334.62 feet to a square-stone corner marked "No. '6'", on a steep southerly hillside, below a sandstone cliff, two hickory, black-oak, white-oak, and sugar-tree pointers;

Thence north 75°7'40" west 716.12 feet to a square-stone corner marked "No. '7'", on a southerly slope, about 50 feet northerly

from a sandstone canyon, two hickory, black-oak, and black-walnut pointers;

Thence south 73°19'50" west 1,608.30 feet to a square-stone marked "No. '8'", on the easterly side of a drain, about 50 feet southerly from a spring, two sweetgum, black-gum, and elm pointers;

Thence north 27°42'10" west 1,072.50 feet to a square-stone corner marked "No. '9'", on the westerly side of a road, at a large white-oak stump, said corner no. 9 being also a corner to the properties of — Purdy and G. W. Beshear;

Thence north 9°28'20" east 703.20 feet to a square-stone corner marked "No. '10'", on an easterly hillside, in a steep hollow, 2 sweetgum, 2 white-oak, and elm pointers;

Thence north 75°30'40" east 284.06 feet to an iron-pipe corner marked "H. L. & I. Co.-G. W. Beshear-Ira Beshear-No. '1'", on a westerly hillside, about 50 feet easterly from a deep drain, black-oak and large white-oak pointers;

Thence north 74°47'30" east 343.46 feet to an iron-pipe corner marked "H. L. & I. Co.-Ira Beshear-Isaac Beshear-No. '12'", at a stone on an easterly hillside, about 15 feet southerly from a fence corner, two white-oak and hickory pointers;

Thence north 74°27'50" east 1,142.07 feet to an iron-pipe corner marked "H. L. & I. Co.-Isaac Beshear-Emit Beshear-No. '13'", at a stone on a northwesterly ridge near the head of a hollow, small sugar-tree, hickory, and large spanish-oak pointers;

Thence north 73°56'20" east 1,179.74 feet to an iron-pipe corner marked "H. L. & I. Co.-Emit Beshear-No. '14'", where a square-stone corner was located in the Bellford Road 10 feet westerly from a culvert and 10 feet southerly from a fence-corner post;

Thence north 4°47'10" east 928.01 feet to a square-stone corner marked "No. '15'", on a northwesterly slope, on the southerly side of a field, five black-oak and hickory pointers;

Thence north 48°52' east 373.68 feet to a square-stone corner marked "No. '16'", on the northerly side of a field, beech, sugar tree, and double black-walnut pointers, said corner no. 16 is also corner to the property of James J. Hamby;

Thence north 63°48'10" east 217.28 feet to a square-stone corner marked "No. '17'", on the southerly hillside, at the corner of a field, large white-oak and two sugar-tree pointers;

Thence south 28°55'10" east 652.61 feet to a square-stone corner marked "No. '18'", on a westerly hillside above a drain with a sandstone bottom, two white-oak and black-oak pointers;

Thence north 73°55'10" east 1,127.10 feet to a square-stone corner marked "No. '19'", in the head of a hollow, southwesterly from a house, about 75 feet northwesterly from the Bellford Road, large white-oak, hickory, and small white-oak pointers, said corner no. 19 is also corner to the property of J. D. Eli (now M. P. Buntin);

Then south 1°43'50" east 284.12 feet to a square stone marked "No. '20'", on a southerly slope, large white-oak, hickory, and three small white-oak pointers;

Thence south 35°37'20" east 2,465 feet to a square-stone corner marked "No. '21'", on an easterly hillside at the northerly side of a field, hickory, dogwood, red-oak, and sassafras pointers;

Thence south 61°43'40" seconds west 1,263.24 feet to an iron-pipe corner marked "H. L. & I. Co.-W. R. Ligon-Pest House-No. '22'", on the northerly side of a large ridge, near the southerly side of an old field, three hickory and elm pointers;

Thence south 61°43'40" west 208.76 feet to a square-stone corner marked "No. '23'", on top of a broad ridge about 135 feet northerly from the pesthouse, black-oak, white-oak, cedar, and two hickory pointers;

Thence south 1°6'10" west 677.03 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-Pest House-No. '24'", on a northerly slope about 20 feet westerly from a drain, black-oak, black-walnut, and two hickory pointers;

Thence south 1°51' west 453.68 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate No. '25'", on the easterly side of a drain, beech pointer;

Thence 0°4'30" west 308.85 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-No. '26'", about 25 feet westerly from a drain, large sycamore and black-walnut pointers;

Thence south 30°41'30" east 497.76 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-No. '27'", on the easterly side of a flat on the westerly side of a drain, two sweetgum pointers;

Thence south 9°5' east 184.77 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-No. '28'", in the westerly side of a drain, at the foot of a bank, sycamore, elm, and persimmon pointers;

Thence south 24°24'30" west 235.34 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-No. '29'", on a flat on the westerly side of a drain, honeylocust pointer;

Thence south 47°24'30" west 233.31 feet to an iron-pipe corner marked "H. L. & I. Co.-Alexander Estate-No. '30'", on a flat on the westerly side of a branch, on the easterly side of a road, sycamore, elm, and willow pointers;

Thence south 15°55'30" west 437.25 feet to the place of beginning, containing 447.51 acres more or less; being the same tract or parcel of land conveyed to the Government of the United States by the Hillman Land Co., on the 30th day of March 1921, and recorded in Deed Book No. 109, page 537, in the Hopkins County court clerk's office.

Such conveyance shall contain the express condition that if the Commonwealth of Kentucky shall at any time cease to use such lands for State park purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

With the following committee amendments:

Page 1, line 5, after the word "purposes", insert the word "exclusively."

Page 8, line 10, strike out "twenty-four" and insert "twenty-five."

Page 9, line 7, after the word "purposes", insert the word "exclusively."

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### DISCHARGE FROM IMPRISONMENT FOR NONPAYMENT OF FINES IN ALASKA

The Clerk called the bill (H. R. 157) to amend section 5296 of the Revised Statutes of the United States.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. If I understand this bill correctly, it merely puts the district courts of Alaska on the same plane with respect to the release of those who are unable to pay their fines by filing proper affidavits as they do in the district courts at the present time.

Mr. DIMOND. The statement of the gentleman is correct. That is all it does.

Mr. WOLCOTT. I withdraw my reservation of objection. There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5296 of the United States Revised Statutes (U. S. C., title 18, sec. 641) is amended by adding thereto the following sentence: "The District Court of the Territory of Alaska shall be deemed a court of the United States, and the commissioners appointed by the judges of the said District Court of the Territory of Alaska under the provisions of title I, chapter 1, section 6, of the act of June 6, 1900 (31 Stat. L., 323, 324), shall be deemed commissioners of a United States court, within the intent and meaning of this section."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### LEAVE OF ABSENCE TO HOMESTEADERS ON PUBLIC DOMAIN

The Clerk called the bill (H. R. 5538) granting a leave of absence to settlers of homestead lands during the year 1935.

The SPEAKER. Is there objection?

Mr. McLEAN. Mr. Speaker, I reserve the right to object. I would like to have an explanation of what is meant in line 7, page 1, by the words "and/or family."

Mr. GREEVER. That is copied from the bill of last year.

Mr. McLEAN. If the gentleman will strike out the character and the word "or", I shall not object to it.

Mr. GREEVER. That is agreeable to me.

The SPEAKER. The Clerk will report the bill.

The Clerk reported the title of the bill.

The SPEAKER. Does the gentleman wish to substitute a similar Senate bill (S. 1776) for the House bill?

Mr. GREEVER. Mr. Speaker, I ask unanimous consent to substitute the bill S. 1776 for the House bill, with the amendment that will be offered by the committee.

The SPEAKER. Without objection, the Senate bill will be substituted for the House bill.

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That any homestead settler or entryman who, during the calendar year 1935, should find it necessary, because of economic conditions, to leave his homestead to seek employment in order to obtain the necessities of life for himself and/or family or to provide for the education of his children may, upon filing with the register of the district, his affidavit, supported by corroborating affidavits of two disinterested persons showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money, as the case may be, during all or any part of the calendar year 1935, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: *Provided,* That any entryman holding an unperfected entry on ceded Indian lands may be excused from the requirements of residence upon the conditions provided herein, but shall not be entitled to extension of time for the payment of any installment of the purchase price of the land except upon payment of inter-

est, in advance, at the rate of 4 percent per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Mr. DEROUEN. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DEROUEN: Page 2, line 14, after the word "except", insert the following: "Upon proof satisfactory to the Secretary of the Interior that the entryman is acting in good faith and is financially unable to make payments due then."

The amendment was agreed to.

Mr. GREEVER. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GREEVER: Page 1, line 7, after the word "and", strike out the sign and the word "or."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

#### WHITE HOUSE POLICE FORCE

The Clerk called the next bill, H. R. 6654, to increase the White House police force, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. LANHAM. Will the gentleman reserve his objection?

Mr. WOLCOTT. I will reserve the objection.

Mr. LANHAM. I should like to hear the reasons which the gentleman has for objecting to the bill.

Mr. WOLCOTT. I may say that I have never objected to a bill yet unless I had some reason for objecting to it on the merits.

Mr. LANHAM. I am sure of that, but I wondered if I could not make some explanation that would be satisfactory to the gentleman?

Mr. WOLCOTT. At the present time I understand the law provides for 43 privates.

Mr. LANHAM. That is correct.

Mr. WOLCOTT. This bill, without putting any limitation upon the number of privates that may be appointed, authorizes the appointment of additional privates. It seems to me that, because of the openness of the law, the White House, if it saw fit, could, with the appropriation being the only limitation upon it, appoint 40 or 50 privates to the White House police force and assign them to special duty, and in that manner augment their force wholly out of keeping with what we appropriate annually for the White House force. I do not have any objection to the White House having all of the protection which it really needs. My objection is to building up a colossal force down there and using it for every possible purpose without some check by the Congress as to what they are doing. As I understand, they borrow certain policemen from the Metropolitan Police force.

Mr. ZIONCHECK. Seven in number.

Mr. WOLCOTT. I am heartily in favor of giving those seven men back to the Metropolitan Police department. I would be in favor of giving them back to the police department for no other reason than that the traffic in the District of Columbia might be regulated. I do not have any hesitancy in saying that all of us recognize the fact that the traffic in the Capital City is the most unregulated traffic of any city I have ever driven in. When the proper time comes, and I hope it will, I will not object to increasing the Metropolitan Police force for the purpose of regulating traffic, if for no other reason. If the gentleman will limit the number of policemen that the White House is authorized to put on, then I may consider the withdrawal of my objection.

I might say that that, in substance, is my objection.

Mr. LANHAM. May I say to the gentleman that I raised exactly the same question in the committee. This law has been amended several times. In view of the fact that the Appropriations Committee would have to pass upon any number of men in making the appropriation for them, and

in order that it may not be necessary for the White House force to be coming for an amendment each time it is necessary to put on a man or two it was urged that the number be left indefinite. The Metropolitan Police force is very anxious to have the seven men back. There are 12 men who are necessary in addition to the 43 at present in the White House force on account of the fact that additional posts have been assigned because of the extensions that have been made to the Executive offices. If the gentleman would not object to the bill if those 12 men were added, I should not object to putting in an amendment "not exceeding 55", which is the present need, as was shown very clearly before the committee.

Mr. WOLCOTT. I think that would remove the principal objection which I have to the bill.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. JENKINS of Ohio. I would like to make one observation. I am afraid the President will veto this bill because of the very serious oversight whereby no provision is made that these shall be outside of the civil service.

Mr. LANHAM. As a matter of fact, this bill was drawn by the Secretary of the Treasury and sent to the Speaker and by him referred to the committee.

Mr. JENKINS of Ohio. But you know the President has not been in favor of any bills at all unless he has the right to appoint everybody outside the civil service.

Mr. LANHAM. The bill was introduced as sent up by the Secretary of the Treasury.

Mr. ZIONCHECK. I have that amendment prepared if it is satisfactory to the gentleman from Michigan.

Mr. WOLCOTT. Mr. Speaker, I understand it is contemplated that an amendment will be offered limiting the number of privates to 55. With that understanding, I withdraw my objection.

Mr. LANHAM. Mr. Speaker, the gentleman from Washington [Mr. ZIONCHECK] has an amendment prepared which will meet the objection of the gentleman from Michigan.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.*, That section 2 (a) of the act entitled "An act to create the White House police force, and for other purposes", approved September 14, 1922 (42 Stat. 841), as amended by section 2 of the act entitled "An act to authorize a necessary increase in the White House police force", approved May 14, 1930 (46 Stat. 328), is hereby further amended to read as follows:

"Sec. 2. (a) That the White House police force shall consist of 1 captain with grade corresponding to that of captain (Metropolitan Police), 1 lieutenant with grade corresponding to that of lieutenant (Metropolitan Police), 3 sergeants with grade corresponding to that of sergeant (Metropolitan Police); and of such number of privates, with grade corresponding to that of private, class 3 (Metropolitan Police), as may be necessary. Members of the White House police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

With the following committee amendment:

On page 2, line 4, strike out the comma and "class 3", and insert in lieu thereof, "of the highest grade."

The amendment was agreed to.

Mr. ZIONCHECK. Mr. Speaker, I offer a committee amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 2, line 5, after the word "necessary", strike out the period, insert a comma, and add the following: "but not exceeding 55 in number."

Mr. WOLCOTT. May I ask the gentleman if that would not come better after the word "privates", in line 3?

Mr. ZIONCHECK. The present law has that proviso in there at the very same place. It is shown in the report.

The SPEAKER. The question is on the amendment offered by the gentleman from Washington [Mr. ZIONCHECK].

The amendment was agreed to.

LXXXIX—442

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### NATIONAL ARCHIVES ESTABLISHMENT

The Clerk called the next bill, H. R. 6836, to provide for the printing and distribution of Government publications to the National Archives Establishment.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, and I shall not object, I want to take this time to say that I think we have made better progress on the Consent Calendar today than we have at any time since I have been looking after this work on the Republican side. I want to ask the gentleman from Illinois [Mr. KELLER] whether the right language has been used in the title of this new branch of Government when it is called "National Archives Establishment"?

Mr. KELLER. I presume that would be the correct designation; yes. The bill was well written and well considered both by the Committee on the Library and the Archives department, and it was not reported until they agreed on the language.

Mr. JENKINS of Ohio. I would like the gentleman's opinion on the jurisdiction of the Archives department as compared with the Library so we may know what subjects are appropriate to be referred to the one and what should be referred to the other.

Mr. KELLER. The gentleman appreciates, of course, that whenever a new bureau or department is established there is always difficulty in establishing the dividing line between its activities and those of bureaus or departments already existing; but I shall endeavor to state the difference as best I can. The purpose of establishing archives is to keep intact all official documents that are governmental in nature. The Library does this, of course, but the copies in the Library are withdrawn, used, and worked over, whereas the documents filed in the archives are supposed to be absolutely permanent.

Mr. JENKINS of Ohio. I wonder if the gentleman, with his usual thoroughness and clarity, would not go into the question further to see whether or not this designation in the title is proper, because so far as I know this is the first bill that has come up for consideration, for sometime at least, that related exclusively to the National Archives.

Mr. KELLER. I think that is correct. Officials of the Library and of the Archives Department have conferred on the whole bill very carefully, because as the bill was first written, as I suggested to the gentleman, the distinguishing line between the two was not exact. For this reason they got together and discussed the matter, and they agree on the bill.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. McFARLANE. I understand the whole Archives Department is filled with Republicans. I would like to see a few Democrats get some jobs in the outfit down there. Will the gentleman kindly tell us, if we enact this legislation, how we can get some jobs down there for Democrats?

Mr. KELLER. I am not running a job department. I presume, of course, that appointments are made by the archivists as the law provides. I know the people are employed on merit. If a Democrat is the best man, he stands the best chance; if he is not the best man, he does not.

Mr. TRUAX. Who says so?

Mr. KELLER. KELLER, of Illinois.

Mr. McFARLANE. What is the method they use to determine whether a man is well qualified. As you know, they are filling up this Department with Republicans and following the same procedure as they have in the Congressional Library. I submit there are just as many qualified Democrats—and Democrats should get the jobs—and would if we Democrats stood together and demanded it.

Mr. KELLER. I do not know of any at all.

Mr. McFARLANE. The Republicans are the ones who get the jobs down there, as well as all other departments.

Mr. KELLER. The gentleman is entirely mistaken, as I happen to know.

Mr. McFARLANE. The gentleman has one man down there; I do not have any.

Mr. KELLER. That may be the gentleman's own fault.

Mr. McFARLANE. No; it is not. I have tried hard enough.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois if there is not some way or some method by which the service that is to be provided under the terms of this bill can be taken care of without an appropriation of \$4,000?

Mr. KELLER. No.

Mr. TRUAX. I do not want to criticize the gentleman, but it does seem to me that whenever a bill appears on the Consent Calendar from the gentleman's committee it means the expenditure of more Federal money. I wonder if we could not get one of his bills through, the purposes of which could be taken care of without the expenditure of further money?

Mr. KELLER. That will be true of the next bill to be called.

Mr. TRUAX. That is all right; but I would like some more immediate action.

Mr. KELLER. The reason the pending bill contains an authorization for printing is to pay for the cost of the paper and running it through the presses. The type is already set up in forms. This is merely to provide for the additional cost of running the paper through the presses.

Mr. TRUAX. How much money is spent for Government printing in a year?

Mr. KELLER. It is up into the millions.

Mr. TRUAX. I have read the bill carefully, and I fail to see wherein the very services proposed by the bill are not already available. Surely we can get these extra few copies for the Archives Department without a new printing.

I am glad to hear they have made some appointments down there, even if the gentleman did happen to get one.

Mr. KELLER. The gentleman is wrong about the cost of these copies. If this \$4,000 is not authorized, these copies will not be furnished the Archives, for the reason that Government printing is figured very closely, and this simply covers the cost of printing and paper; that is all.

Mr. TRUAX. Mr. Speaker, I am going to make the request that this bill be passed over without prejudice, so that the gentleman can look into the matter further and ascertain whether this service cannot be furnished without an additional appropriation.

I think it is time that we should draw a line somewhere and call a halt to these tremendous expenditures for more bureaus and more bureaucrats.

Mr. KELLER. The gentleman understands that this has to go through the Appropriations Committee?

Mr. TRUAX. I understand all that.

Mr. KELLER. It is just a question whether, having established the Archives Department of the United States for this very purpose, the gentleman is going to object to carrying out the law and the intent of the law that has been in the minds of the American people for nearly 100 years before this time.

Mr. TRUAX. When we established that Department and authorized an appropriation of \$10,000 for the annual salary of an expert, I opposed the measure. Now the gentleman wants \$4,000 more.

Mr. KELLER. Certainly; and I may say there is an appropriation coming in for more than that amount to provide for the regular work of that Department.

Mr. TRUAX. This is a new department?

Mr. KELLER. Yes.

Mr. TRUAX. More bureaucracy. Mr. Speaker, I renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### EMPLOYMENT OFFICES AFFILIATED WITH UNITED STATES EMPLOYMENT SERVICE

The Clerk called the next bill, S. 147, to alter the amount apportioned to certain States for public employment offices affiliated with the United States Employment Service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, may I say that the gentleman from Massachusetts [Mr. CONNERY] is so affable in everything that he does that it is with regret that I call his attention to a mistake in this report, which is susceptible to a point of order. The gentleman has not complied with the rules; but, because he is so gracious to everybody, I am not going to raise the point.

Mr. CONNERY. May I ask the gentleman where?

Mr. JENKINS of Ohio. The gentleman failed to observe the Ramseyer rule. Of course, this bill comes from the other body and it does not stand us in good stead to criticize them. I have had this matter up with the drafting service, and they say it is in bad form.

Mr. CONNERY. It came from the other body. It would not be in bad form if it came from the House.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5 (a) of the so-called "Wagner-Peyser Act" (Act of June 6, 1933, ch. 49; 48 Stat. 113, 114; U. S. Code, title 30, sec. 49 (d)) be amended by adding at the end of the second sentence thereof the following clause: "Provided, however, That in apportioning said 75 percent of amounts appropriated after January 1, 1935, under this act, the Director shall apportion not less than \$10,000 to each State."

so that, as amended, section 5 (a) shall read as follows:

"For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated (1) the sum of \$1,500,000 for the fiscal year ending June 30, 1934, (2) \$4,000,000 for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, (3) and thereafter such sums annually as the Congress may deem necessary. Seventy-five percent of the amounts appropriated under this act shall be apportioned by the director among the several States in the proportion which their population bears to the total population of the States of the United States according to the next preceding United States census, to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the provisions of this act: *Provided, however,* That in apportioning said 75 percent of amounts appropriated after January 1, 1935, under this act, the director shall apportion not less than \$10,000 to each State. No payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State, or by any agency thereof, including appropriations made by local subdivisions, for the purpose of maintaining public employment offices as a part of a State-controlled system of public employment offices; except that the amounts so appropriated by the State shall not be less than 25 percent of the apportionment according to population made by the director for each State for the current year, and in no event less than \$5,000. The balance of the amounts appropriated under this act shall be available for all the purposes of this act other than for apportionment among the several States as herein provided."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MEMORIAL TO JEAN JULES JUSSERAND

The Clerk called the next resolution, House Joint Resolution 204, authorizing the erection of a memorial to the late Jean Jules Jusserand.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask the gentleman from Illinois [Mr. KELLER] how much money this is going to cost?

Mr. KELLER. Not a cent.

Mr. TRUAX. Then I have no objection to the bill.

There being no objection, the Clerk read the bill, as follows:

*Resolved, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, other than those of the Capitol, the Library of Congress, and the White House, of a memorial of simple and artistic form to the late Jean Jules Jusserand, by his friends in America in memory and esteem of his fine friendship for the United States and its people during the 22 years of his service in Washington: *Provided,* That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

# WASHINGTON-LINCOLN MEMORIAL GETTYSBURG BOULEVARD

The Clerk called the next resolution, Senate Joint Resolution 43, for the establishment of a commission for the construction of a Washington-Lincoln Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battlefield of Gettysburg, in the State of Pennsylvania.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object—and I am not going to object—the Roads Committee has put itself in position to give us another great thoroughfare in this country which will probably cost many thousand dollars per mile. The Roads Committee has not seen fit in this session of Congress to do anything to relieve the people who live out in the country on the rural bus routes and the rural mail routes. I should like to see the Roads Committee take up that fight, which is a real fight and a meritorious fight. I for one have become tired of appropriating money for these main thoroughfares and leaving the poor man out in the highways and byways without an opportunity to get out. I am not blaming that committee altogether. I do hope that committee wakes up and demands its rights. I have had occasion on the floor to speak about this matter a number of times. I blame the State authorities and the Federal highway director for their refusal to appreciate the situation in which these poor people find themselves.

Mr. WOLCOTT. I may say that the Roads Committee reported out a very fine bill previous to the enactment of the relief bill which would have accomplished just what the gentleman desires in respect to secondary roads, but it was not given consideration. As I understand the matter, this was due to the fact that the Senate in its wisdom wrote a highway provision into the relief bill, which, in the absence of an opportunity to pass any road bill, we had to accept.

Mr. VINSON of Kentucky. Is there any allocation of Federal money for secondary roads under existing law?

Mr. JENKINS of Ohio. I do not understand there is, but under the bill reported by the Roads Committee there would have been a goodly portion for secondary roads.

Mr. VINSON of Kentucky. I recall that in a bill reported in the last Congress there was a definite allocation of at least 25 percent to secondary roads. I recall also the interest of the gentleman from Ohio [Mr. JENKINS] in the amendment which was adopted at that time.

Mr. JENKINS of Ohio. I thank my friend from Kentucky. He is quite right. He and many other leaders on the Democratic side helped me in that fight. We won easily, for the sentiment of Congress is overwhelmingly in favor of keeping the country people out of the mud. The trouble in Ohio has been that the State director of highways did not seem to want to heed the expressed wish of Congress. The Federal Highway Director must have been in sympathy with him, for instead of spending this 25 percent on rural roads, as they should have done, they ordered that it should be spent on a small piece of road in each county, this piece to be about 5 miles long and constructed with about the same specifications as a main road. They utterly refused to go out into the country and arrange for the stopping up of mudholes. The Roads Committee has before them now a bill which will cure this whole thing. If they would take it up and pass this bill, it would amend the organic law, and henceforth 25 percent of all money appropriated for public roads would go to these country highways. This bill was introduced by me. It has the approval of the best roadmen of the country. I think it is the solution of this road problem. If it would pass, it would provide that 25 percent of all Federal money must be spent on rural roads. It would take the matter out of the hands of these bureaucrats who want to do nothing except provide for main thoroughfares so that they can get their names on the big beautiful cement bridges. I commend this bill to the

Roads Committee. I am perfectly willing to relinquish authorship to it in favor of any member of the committee.

Mr. VINSON of Kentucky. When the gentleman refers to country roads, he is referring to feeder roads or home-to-market roads.

Mr. JENKINS of Ohio. Yes, sir; that is exactly what I mean. The gentleman has plenty of them in his district and I have plenty in mine.

Mr. ENGEL. I took this matter up with a certain official here in the Department. I have forgotten his name.

Mr. JENKINS of Ohio. McDonald, I presume.

Mr. ENGEL. I spoke to some captain over there, and he informed me that they were setting aside 25 percent of the money appropriated for the public-works program for secondary roads, defining secondary roads as being non-Federal-aid roads, and also excluding from secondary roads such roads as were primary State trunk-line roads.

Mr. JENKINS of Ohio. I do not like to take the words out of the gentleman's mouth, but here is the way they interpret that. They put upon that the requirement that none of the money shall be applied to less expensive construction than \$3,000 or \$4,000 per mile.

Mr. ENGEL. All I know about it is just what they told me.

Mr. KELLER. Is it not a fact that at the very present moment the various road authorities of the various States are at work on this matter and have worked out a plan along the line the gentleman speaks of which will use Federal relief money for this very purpose on a very large scale?

Mr. JENKINS of Ohio. I hope the gentleman is right about it, but I will have to know more than that about it before I put much dependence in it.

Mr. KELLER. I am entirely right about it.

Mr. JENKINS of Ohio. Heretofore the enactments of Congress have not been worth a thing. They have ignored us just as if we were nothing. If the Republican Party was in power I would straighten them out or know the reason why.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. As one member of the House Committee on Roads at this time I want to pay my tribute to the gentleman from Ohio [Mr. SECREST], a colleague of the gentleman who now has the floor. The gentleman from Ohio [Mr. SECREST] forced through the Committee on Roads an amendment which would make it mandatory to apply this money to the feeder roads or the farm-to-market roads and for this reason I believe the gentleman from Ohio [Mr. SECREST] ought to be mentioned in this connection.

Mr. JENKINS of Ohio. I may say that the gentleman referred to followed the old Jenkins amendment which we passed here a year or two ago. His amendment was right in line with the amendment we passed at that time and the gentleman from Ohio [Mr. SECREST] deserves the credit which the gentleman seeks to give him. His district adjoins mine and he knows our needs thoroughly.

Mr. LORD. Mr. Speaker, if the gentleman from Ohio will permit, the Committee on Roads, at their sessions, did provide in the bill they reported \$300,000,000 for real farm-to-market roads. When this bill came out, the superintendents of highways and the heads of departments of public works in the different States heard of it and they came rushing to Washington and succeeded in taking this up with one or more of the Senators and getting this portion of the bill eliminated. So the bill as it is today has no appropriation for real farm-to-market roads.

Mr. JENKINS of Ohio. The gentleman is quite right.

Mr. LORD. It does save the first- and second-class roads, but it does not apply at all to the real farm-to-market roads. The gentleman from Ohio [Mr. SECREST] had an amendment providing for bus lines and for rural mail-delivery roads, and this was put in the bill, but it was later on cut out and we have no such provision now, and the farmer is still in the mud.

Mr. MEAD. Mr. Speaker, I am in entire accord with the remarks made by the gentleman from Ohio. I simply want to add that we are appropriating a large sum of money for the Rural Mail Delivery Service to the people in the country sections of every State in the Union, and in view of the fact that we are losing money on this Service, and for the reason that we are appropriating a large sum of money for the improvement of roads, we ought to receive preferential consideration from the State highway commissioners in connection with the improvement of post roads and rural-delivery roads. This has not been done in the past. I am pleased that this discussion has been made on the floor of the House, because it is a matter that should be brought to the attention of the State and Federal commissioners of highways and other authorities throughout the country.

Mr. JENKINS of Ohio. Mr. Speaker, I may say to the gentleman that while I do not want to take any credit to myself, yet in my district we organized along this line 2 years ago, and we went to see our Governor with a delegation of 250 people, and we thought we had the matter all worked out, but the C. W. A. came along and took it away from us.

The gentleman has hit the nail on the head. The trouble has been that regardless of what we do here these high road officers do not pay much attention to us. We have had no trouble in passing these amendments referred to. The Jenkins amendment was passed in a Democratic House overwhelmingly. There is no question about it but that these authorities are sold on this one proposition of having main thoroughfares. They want these three- or four-lane highways, and these Government men will tell you that they ought not to spend any money on improving a road where the specifications do not call for an expenditure of at least \$4,000 a mile. This is not what we want; we want some plan that will make the country roads passable in the winter.

Mr. MEAD. The gentleman is quite correct.

Mr. TARVER. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.*, That there is hereby established a commission to be known as the United States Commission for the construction of a Washington-Lincoln-Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battlefield of Gettysburg in the State of Pennsylvania (hereinafter referred to as the Commission), and to be composed of 10 commissioners, as follows: The President of the United States; Presiding Officer of the Senate, the Speaker of the House of Representatives, and the president of the Commissioners of the District of Columbia, ex officio; 2 persons to be appointed by the President of the United States; 1 Senator from the State of Maryland and 1 Senator from the State of Pennsylvania, to be appointed by the President pro tempore of the Senate; and 1 Representative from the State of Maryland and 1 from the State of Pennsylvania, to be appointed by the Speaker of the House of Representatives. The commissioners shall serve without compensation and shall select a chairman from among their number.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be expended by the Commission in accordance with the provisions of this resolution.

SEC. 3. That it shall be the duty of the commission to prepare a plan or plans to further commemorate the public services of George Washington and Abraham Lincoln by the construction of a boulevard or highway connecting the present Lincoln Memorial and the Washington Monument in the city of Washington with the Gettysburg battlefield in the State of Pennsylvania; and to give due and proper consideration to any plan or plans which may be submitted to it.

SEC. 4. That the commission, after selecting a chairman and a vice chairman from among its members, may employ a secretary and such other assistants as may be needed for clerical work connected with the duties of the commission and may also engage the services of expert advisers, and may fix their respective compensations within the amount appropriated for such purposes.

SEC. 5. That the commissioners shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties out of the amount appropriated.

SEC. 6. That the commission shall on or before 1 year after the date of enactment of this resolution, make a report to the Congress, in order that enabling legislation may be enacted.

SEC. 7. That the term of commission hereby created shall expire within 1 year after the completion of the proposed boulevard or highway.

SEC. 8. This joint resolution shall take effect immediately.

With the following committee amendments:

Page 2, line 1, after the word "of", strike out the word "ten" and insert in lieu thereof the word "thirteen."

Page 2, line 8, after the word "Senate", insert the words "The Chief of the Bureau of Public Roads, Department of Agriculture; the Director, National Park Service, Department of the Interior; Engineer Commissioner of the District of Columbia."

Page 2, line 23, after the word "plans", insert the words "In cooperation with the Bureau of Public Roads, Department of Agriculture; the Highway Departments of Pennsylvania, Maryland, and District of Columbia."

Page 3, line 22, after the word "enacted", insert the words "Provided, Such enabling legislation stipulates that the said highway or boulevard shall be constructed by the Highway Departments of Pennsylvania, Maryland, and District of Columbia, under the supervision of the Chief of the Bureau of Public Roads, Department of Agriculture, from funds provided by the said State of Pennsylvania, the said State of Maryland, and the District of Columbia, including any future allocation of Federal-aid highway funds or grants to the said States of Pennsylvania, Maryland, and to the District of Columbia. The passage of this act does not commit the United States to build the said highway or boulevard at Federal expense, and, if authorized, the Federal funds for the construction of the said highway or boulevard will be the allocations that may accrue to the said States and the District of Columbia in future appropriations of Federal-aid highway and grant funds. Any appropriations under the authority of this act shall be deducted from the next regular apportionment or allocation of Federal-aid highway funds or Federal-grant highway funds, under existing or future authorizations as determined by the Secretary of Agriculture to Pennsylvania, Maryland, and the District of Columbia."

The committee amendments were agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BUILDING FOR DIPLOMATIC AND CONSULAR ESTABLISHMENT AT HELSINGFORS, FINLAND

The Clerk called the next bill on the Consent Calendar, H. R. 4448, to provide funds for the acquisition of a site, erection of buildings and furnishing thereof for the use of the diplomatic and consular establishments of the United States at Helsingfors, Finland.

The SPEAKER. Is there objection?

Mr. TRUAX. Reserving the right to object, this bill proposes to expend \$300,000 to acquire a site to erect buildings for the American Legation in Finland. I realize that Finland was practically the only foreign nation that paid her war debt in full. But that is no good reason why this country should immediately expend \$300,000 as a return for that payment. The report says that the Government is now paying \$11,000 per year rent for quarters that they now use. If we spend \$300,000 at 4 percent, that will be \$12,000 per year for bankers who buy tax-exempt bonds. That would represent \$12,000 a year, and so it is cheaper to rent at \$11,000 a year. I ask unanimous consent that the bill be passed over without prejudice.

Mr. McREYNOLDS. Mr. Speaker, what the gentleman from Ohio says about 4 percent is all bunk. The gentleman's statement that it would cost more is not borne out by the facts. I am going to object to this bill being passed over without prejudice. If the gentleman wants to object, let him object.

Mr. TRUAX. Mr. Speaker, I object. The taxpayers do not think a \$300,000 unwarranted appropriation is "bunk." They ultimately foot the bill for all the tax-exempt bonds issued by the Government.

Mr. KNUTSON. Will the gentleman reserve his objection?

Mr. TRUAX. Yes.

Mr. McREYNOLDS. Mr. Speaker, I call for the regular order.

The SPEAKER. Is there objection?

Mr. TRUAX. I object.

#### WHITE SWAN SCHOOL DISTRICT NO. 88, YAKIMA COUNTY, WASH.

The Clerk called the next bill on the Consent Calendar, H. R. 4297, to provide funds for cooperation with White Swan School District No. 88, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Reserving the right to object, there are on the calendar several bills to provide for school-district aid. The calendar numbers are 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, and 92.

The amounts authorized under these bills aggregate \$761,000. They are along the same lines. I have had several conversations with Members who are interested in these bills and, although I am somewhat, not wholly, convinced as to the merit of the legislation, I feel that it should be presented to us in an entirely different manner.

I am going to ask unanimous consent that these bills, the calendar numbers of which I have read, be passed over without prejudice.

I have in mind that the committee should bring these bills in in an omnibus bill, with a rule allowing some time for debate, in order that we have the question settled once and for all definitely concerning the policy of Congress with respect to aid in these districts. I think that perhaps the aid should be given, but I think a great deal of time and consideration should be given to it.

For the purpose of giving the committee time to bring in an omnibus bill, together with a rule for the consideration, I ask unanimous consent that the bills, Calendar Nos. 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 92, and 113 be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. JENKINS of Ohio. Reserving the right to object, I want to bring out another thought. The gentleman from Michigan recommends that the committee bring them out in an omnibus bill. Has the gentleman given any consideration to the fact that it might be that the Committee on Appropriations dealing with Indian Affairs, that is the subcommittee of the Committee on Appropriations in charge of the Department of the Interior, should be consulted with reference to these matters, because this is establishing a new policy, and we ought to start on it right so that both committees may consider it, and when it does come in as an omnibus bill then there will be no objection and we will have a definite program. With this idea of every individual Congressman coming here for a new schoolhouse for sections in his own district one can see how expensive it will be before we get through. This should be considered carefully with the idea of formulating a statesmanlike policy that we can all be proud of.

Mr. AYERS. Mr. Speaker, I reserve the right to object to the request of the gentleman from Michigan [Mr. Wolcott] that this bill go over, and I desire to discuss this bill and the companion bills for a few minutes. The gentleman is entirely right in his figures on these bills. They seek an authorization of \$751,000 in the aggregate. The Committee on Indian Affairs has had a special subcommittee that investigated every one of these bills. That subcommittee had hearings at the last session and at this session. The allocation of this \$751,000 has to do today with 2,889 Indian children, and here is how it has to do with them: Some years ago the Indian Department adopted a policy to abandon and suspend Indian schools and send the Indian children to State schools. This policy has been consistently followed. For instance, the Indian school which was abandoned at Rapid City, S. Dak., last year sent back to three reservations in my district 89 Indian children of high-school age; all must now go to the State high schools or be deprived of any further education.

This policy of the Indian Department has forced the Indian children into State schools if they are to gain any education, and it has prevailed whether the State schools be located within the boundaries of Indian reservations or on adjoining land. This policy has proved eminently satisfactory for the education of the Indian children, and it has led to the abandonment of additional Indian schools.

In Montana, where I am most familiar with the schools affected, a commendable spirit of cooperation with the Indian Department on the part of the local school boards has always taken place. However, the burden assumed by the local school districts has become greater than their carrying

capacities, and additions to the present buildings or new buildings must be constructed if the districts are to carry on under this policy.

Naturally, by reason of Indian-owned lands, the schools, utilized to the greatest extent by Indian children, find themselves without available funds and without security to raise additional funds to build additions to present buildings or to construct new buildings. You are all aware that Indian lands are not assessable.

These school districts had previously provided buildings and equipment sufficient for accommodation of the white patrons; and now, by reason of the increased attendance brought about by their cooperation with the Indian Department, they are totally inadequate to pursue this policy further without help. Additions and new buildings must be had. In many instances basements, sheds, and other nondescript buildings are being used for school purposes when, in fact, they are unfit for such purposes.

In all instances the feeling between the white people, who are the taxpayers and who have borne the burden with reference to buildings, furniture, laboratories, books, and other equipment, on the one hand and the Indian children and the Indian population on the other hand has been very amicable. Indeed, there has never been any evidence of racial prejudice. The Indian children have been accepted and retained in these schools upon exactly the same basis as white children.

Because of the importance of this bill and other similar bills now on this Consent Calendar, a subcommittee was appointed to consider all of these Indian educational bills. I had the honor to be chairman of that subcommittee. We made an extended investigation of the situation. We found that the Government is paying a tuition averaging 40 cents per capita per school day for the Indian children attending these State schools. Assuming that a school year is 9 months of 20 days each, the Government is paying \$72 per capita per year. We found that this average tuition is less than the average per capita cost for overhead, leaving a condition where the district is compelled to bear the burden of the overhead shortage in addition to bearing all the burden for buildings, furniture, laboratories, and upkeep.

We found that the average per capita cost for elementary and secondary education in the United States is \$87.67 per annum. This is the average; it varies in different States. This makes an average daily per capita cost throughout the Nation of 48 $\frac{3}{4}$  cents per day for overhead as against an average of 40 cents per day paid by the Government for Indian children attending these public schools. The per capita cost per annum in Montana is \$102.62, or 57 cents per day. Hence the average annual Government tuition paid in that State is \$32.62 or 17 cents per day less than the actual per capita cost.

In the State of Washington, the average per capita cost is \$98.64 per annum. The White Swan School District in the State of Washington, which is involved in the instant bill, embraces 442,986 acres of Indian-owned land which is nonassessable, as against 46,974 acres of white-owned land which is on the assessment rolls. A majority of the attendants at the White Swan School are Indian children and this vast amount of Indian land bears none of the burden of the building or maintenance charges whatever—the small amount of white-owned land has to carry the entire burden. The school is now overcrowded to such an extent that new buildings will have to be built or additions constructed to the present buildings. Certainly, no one can contend that this small percentage of white-owned land should bear that entire burden.

The same condition exists, only on different ratios, in all of the schools involved in these bills.

At Poplar, Mont., a substantial majority of the school attendance is Indian and a large percentage of the lands within the district is Indian owned and nonassessable.

At Wolf Point, Mont., which is the county seat of a county made up largely of the Fort Peck Indian Reservation and where the district is bonded practically to its constitutional limitation, the Indian Department advises us that there are

now about 150 Indian children in attendance at the school and that some 25 to 50 additional Indian children would attend if there were building facilities.

At Lodge Grass, Mont., where two-thirds of the land in the district is Indian owned and nonassessable, 133 Indian children are in attendance as against 243 white children, according to the department reports. The district is bonded to its full constitutional limit and the reports show that the school buildings are in bad condition and are all overcrowded; that two dark and poorly ventilated basement rooms are used. Like reports disclose similar conditions at the Frazer, Mont., school, and, as a matter of fact, similar conditions exist at all of the schools which these bills seek to assist.

Mr. Speaker, present reports disclose that there are 2,889 Indian children now attending the public schools mentioned in these bills. Now the time will soon arrive when these Indian children will have to be excluded from these schools unless some action in the way of relief is taken on the part of Congress. By the use of the funds sought for these school districts, additional buildings can be provided not only to accommodate these present 2,889 Indian children but to accommodate an increased Indian attendance at a cost of approximately \$265 per Indian child. This is much less than the Government could undertake to build Indian schoolhouses, which it will ultimately have to do unless these bills are passed.

Our committee has held extensive hearings and gone into the facts concerning all of these bills, and I am certain that they are meritorious.

The enactment of this legislation, in addition to assisting the Indian Department in its policy of giving the Indian pupils the benefit of the environment of attending school with white children, is in effect and from a money point of view an economy move. The Federal Government, by closing the Indian schools it formerly maintained and assigning the Indian children to State schools, has already effected economies much greater than the expenditures proposed by these bills. And please bear in mind that the expenditures proposed by these bills would not be a recurring item, but in the nature of a capital investment. It would give the Department an interest in the buildings constructed or the buildings upon which additions were made, and according to all the bills, the State schools must continue to take Indian children on the same basis as white children, with the exception of tuition to defray overhead expense, and expenditures under these bills must be made subject to conditions prescribed by the Secretary of the Interior; hence, all necessary safeguards are thrown around the Government's investment in each instance, and please continue to bear in mind it is a capital investment.

If this legislation is not enacted, it will undoubtedly be necessary for the Indian Department to establish an Indian school program. This will be necessary because it is becoming impossible for the public schools to accommodate the increasing Indian attendance and it is now impossible for the public schools to construct the necessary additional improvements because of their limited taxable values in the respective districts. Surely it is not believed that the public schools of the States should be asked to carry this additional burden, belonging entirely to the Government in the education of their wards living and residing upon nonassessable lands.

Unless the relief proposed by these bills is brought about, the Indian Department will be compelled to reestablish and maintain Indian schools. And let me add that the per capita cost, now paid by the Government for overhead in these State schools in the way of tuition, will be more than trebled should it build Indian schools and attempt to run them on a departmental basis; hence this is economy legislation from any and all points of view.

Mr. WOLCOTT. Mr. Speaker, I am in accord with what the gentleman says, and I am sympathetic concerning its program, and, without committing myself as to what I would do, I think perhaps I might be able to give the gentleman some help, but it is with a great deal of sincerity that I think the committee should give consideration to putting these bills

in an omnibus bill and presenting them to the House so that the gentleman will have time and we will all have time to bring out the thoughts that we have. For that reason, I ask that these bills go over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, I reserve the right to object. It has been suggested that perhaps the Committee on Appropriations might make appropriations for these proposals, but these bills are merely an authorization for an appropriation. It was clearly within the rights of the committee to consider these bills, and, for the benefit of the gentleman, I will say that most of these bills have already passed the Senate. The first bill called here, H. R. 4297, passed the Senate on April 15, and every one of these bills which have been introduced in the Senate has passed the Senate. Two or three have not been introduced.

Mr. WOLCOTT. Then, if we do bring in an omnibus bill and establish a policy which we could follow, I do not anticipate we would have any trouble in the Senate with respect to the passage of an omnibus bill which included bills already passed by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that these bills be passed over without prejudice?

Mr. ROGERS of Oklahoma. Mr. Speaker, I do not like to object to the unanimous-consent request, but we would like to pass these bills at the first opportunity. I realize that when I object to the unanimous-consent request of the gentleman I am probably compelling the gentleman to object to the bill.

Mr. WOLCOTT. Of course I shall, although I do not want to object to it. I have no objection to the merits of the bill, and I do not like to object to these bills unless I have some objection to their merits. It is merely the manner in which it is brought up. I am asking that they go over without prejudice so that we can give some consideration to bringing them in in an omnibus bill.

Mr. ROGERS of Oklahoma. These bills have been considered in the same manner that all other bills of the same nature are considered.

Mr. KNUTE HILL. And they have been considered for over a year.

Mr. WOLCOTT. They were on the calendar this last year, and the same question arose as to what the policy of the Congress would be with respect to them.

I am not going to take the responsibility and I do not think the gentleman wants to take the responsibility, under unanimous consent, of establishing a policy for this House to follow in the future with reference to these bills.

Mr. KNUTE HILL. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. KNUTE HILL. It passed the Senate last year. It has passed the Senate this year. It has been passed by the Senate Committee on Indian Affairs. The Indian Department is in favor of it. It has been here a year now, and if we keep on objecting to this, there will have to be a special bill—

Mr. WOLCOTT. I am not objecting. I hope the gentleman will appreciate the fact that I am not objecting. I am simply giving his committee an opportunity to consider bringing these bills in in an omnibus bill.

Mr. ROGERS of Oklahoma. It will not be necessary to do that, these bills are on the Union Calendar—

The regular order was demanded.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Wolcott]?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

#### PUBLIC-SCHOOL BUILDING AT POPLAR, MONT.

The Clerk called the next bill, H. R. 5207, for expenditure of funds for cooperation with the public-school board at Poplar, Mont., in the construction or improvement of public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, reserving the right to object—

Mr. WOLCOTT. Mr. Speaker, regular order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. I object, Mr. Speaker. If the gentleman from Michigan wants to play politics on these bills—

Mr. WOLCOTT. I hope the gentleman will not consider that I am trying to play politics.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC-SCHOOL BUILDING AT BROCKTON, MONT.

The Clerk called the next bill, H. R. 5209, to provide funds for cooperation with the school board at Brockton, Mont., in the extension of the public-school building at that place to be available to Indian children of the Fort Peck Indian Reservation.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC-SCHOOL BUILDING, BIG HORN COUNTY, MONT.

The Clerk called the next bill, H. R. 5210, to provide funds for cooperation with school district no. 17-H, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC SCHOOL AT FRAZER, MONT.

The Clerk called the next bill, H. R. 5212, to authorize appropriation for the completion of the public high school at Frazer, Mont.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

SCHOOL DISTRICT NO. 27, BIG HORN COUNTY, MONT.

The Clerk called the next bill, H. R. 5213, to provide funds for cooperation with school district no. 27, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC SCHOOL AT WOLF POINT, MONT.

The Clerk called the next bill, H. R. 5214, to provide funds for cooperation with the public-school board at Wolf Point, Mont., in the construction or improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

HARLEM SCHOOL DISTRICT NO. 12, BLAINE COUNTY, MONT.

The Clerk called the next bill, H. R. 5216, to provide funds for cooperation with Harlem School District No. 12, Blaine County, Mont., for extension of public-school buildings and equipment to be available for Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

SCHOOL DISTRICT NO. 28, LAKE AND MISSOULA COUNTIES, MONT.

The Clerk called the next bill, H. R. 5500, to provide funds for cooperation with joint school district no. 28, Lake and Missoula Counties, Mont., for extension of public-school buildings to be available to Indian children of the Flathead Indian Reservation.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC-SCHOOL BUILDING AT MEDICINE LAKE, SHERIDAN COUNTY, MONT.

The Clerk called the next bill, H. R. 6315, to provide funds for cooperation with the school board at Medicine Lake, Mont., in construction of a public-school building to be available to Indian children of the village of Medicine Lake, Sheridan County, Mont.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. McFARLANE. Reserving the right to object—

Mr. WERNER. Mr. Speaker, regular order.

Mr. McFARLANE. Is it going to be the attitude of the gentleman from Michigan to object to all these bills or to ask that they be passed over?

The SPEAKER. Regular order is demanded. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

ROCKY BOY INDIAN RESERVATION

The Clerk called the next bill, H. R. 3811, to add certain public-domain land in Montana to the Rocky Boy Indian Reservation.

Mr. AYERS. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 613) be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER. Is there objection to the immediate consideration of the Senate bill?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That approximately 557 acres of public-domain land in the State of Montana, described as lots 2, 4, 6, and 8, section 25; lots 2, 4, 6, and 8, section 26; lots 2, 4, 6, and 8, section 27; lots 2, 3, and 4, section 28; lot 5, section 29, township 28 north, range 15 east; lots 2, 4, 6, and 8, section 27; lots 2, 4, 6, and 8, section 28; lots 2, 4, 6, and 8, section 29; lots 5, 7, 9, and 11, section 30, township 28 north, range 16 east, of the Montana meridian, in Montana, be, and the same are hereby, withdrawn from the public domain and added to the Rocky Boy Indian Reservation: *Provided,* That the rights and claims of bona fide settlers initiated under the public-land laws prior to January 6, 1934, shall not be affected by this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

MARYSVILLE SCHOOL DISTRICT, SNOHOMISH COUNTY, WASH.

The Clerk called the next bill, H. R. 3999, to provide funds for cooperation with Marysville School District, No. 325, Snohomish County, Wash., for extension of public-school buildings to be available for Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

SCHOOL DISTRICT NO. 23, POLSON, MONT.

The Clerk called the next bill, H. R. 5499, to provide funds for cooperation with school district no. 23, Polson, Mont., in the improvement and extension of school buildings to be available to both Indian and white children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PUBLIC-SCHOOL DISTRICTS IN GLACIER COUNTY, MONT.

The Clerk called the next bill, H. R. 5215, to provide funds for cooperation with public-school districts in Glacier County, Mont., in the improvement and extension of school buildings to be available to both Indian and white children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

CROW INDIANS

The Clerk called the next bill, H. R. 6365, extending the time for repayment of the revolving fund for the benefit of the Crow Indians.

Mr. AYERS. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2145) may be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the time for repayment to the tribe of \$50,000 revolving fund for the benefit of the Crow Indians created by the act of June 4, 1920 (41 Stat. 755), for the purchase of seed, animals, machinery, tools, implements, and other equipment is hereby extended from June 30, 1935, to June 30, 1945, and said fund is hereby made available for such purposes for the further period of 10 years from and after June 30, 1935.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a similar House bill were laid on the table.

PETERSBURG, ALASKA

The Clerk called the next bill, H. R. 6085, to authorize the incorporated town of Petersburg, Alaska, to undertake certain municipal public works, including the filling, grading, and paving of streets and sidewalks and construction of necessary bridges and viaducts in connection with the same, and for such purposes to issue bonds in any sum not exceeding \$40,000.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the incorporated town of Petersburg, Territory of Alaska, is hereby authorized and empowered to undertake the municipal works hereinabove specified, to wit: The filling, regrading, and paving of streets and sidewalks, and the construction of bridges and viaducts, and for such purposes to issue bonds in any amount not exceeding in the aggregate the sum of \$40,000.

Sec. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Petersburg, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for any or all of the purposes hereinbefore set forth, shall be submitted to the qualified electors of said town of Petersburg, Alaska, whose names appear on the last assessment roll of said town for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes therein specified in the maximum amount herein authorized or any lesser amount. Not less than 20 days' notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the town of Petersburg, Alaska, one of which shall be at the front door of the United States post office at Petersburg, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purposes herein specified. The registration of such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and said bonds shall be issued for the purposes herein authorized only upon condition that not less than 50 percent of votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Sec. 3. The bonds herein authorized to be issued shall be coupon in form and shall mature in not to exceed 30 years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding 30 years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, and may be nonredeemable or redeemable (either with or without premium), may carry such registration privileges as to principal and interest, principal only, or interest only, as shall be prescribed by the common council of said town of Petersburg. The bonds shall bear the signatures of the mayor and of the clerk of the town of Petersburg and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and the town clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the town of Petersburg, not to exceed, however, 6 percent per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Sec. 4. The bonds herein authorized to be issued shall be general obligations of the town of Petersburg, Territory of Alaska, payable as to both principal and interest from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this act. Said bonds shall be sold only when and in such amounts as the common council of the town of Petersburg shall direct; and the proceeds thereof shall be disbursed only for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as such proceeds may be required for such purposes.

Sec. 6. The incorporated town of Petersburg is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and acts amendatory thereof and acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further acts of the Congress of the United States to encourage public works or relieve unemployment, for the sale of bonds issued in accordance with the provisions of this act or for the acceptance of a grant of money to aid said municipality in financing any public works herein authorized; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Petersburg and the United States of America, or any agency or instrumentality thereof or any such purchaser.

Sec. 7. This act shall take effect immediately.

With the following committee amendments:

Page 1, line 6, after the word "sidewalks", add the following: "The construction and improvements of sewers."

Page 5, line 9, after the word "unemployment", insert the following: "including the Emergency Relief Appropriation Act of 1935."

The committee amendments were agreed to.

Mr. DIMOND. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: Page 1, amend the title of the bill to read as follows:

"A bill to authorize the incorporated town of Petersburg, Alaska, to undertake certain municipal public works, including the filling, grading, and paving of streets and sidewalks, the construction and improvement of sewers, and construction of necessary bridges and viaducts in connection with the same, and for such purposes to issue bonds in any sum not exceeding \$40,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### VALDEZ, ALASKA

The Clerk called the next bill, H. R. 6723, to authorize the incorporated town of Valdez, Alaska, to construct a public-school building and for such purpose to issue bonds in any sum not exceeding \$50,000; and to authorize said town to accept grants of money to aid it in financing any public works.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the incorporated town of Valdez, Territory of Alaska, is hereby authorized and empowered to construct a public-school building, and for such purpose to issue bonds in any amount not exceeding the sum of \$50,000.

Sec. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Valdez, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said town of Valdez, Alaska, whose names appear on the last assessment roll of said town for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purpose herein specified in the amount herein authorized. Not less than 20 days' notice of such election shall be given to the public by posting notices of the same in three conspicuous places within the corporate limits of the town of Valdez, Alaska, one of which shall be at the front door of the United States post office at Valdez, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purpose herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and said bonds shall be issued for the purpose herein authorized only upon condition that not less than a majority of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purpose.

Sec. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed 30 years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding 30 years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be non-redeemable or redeemable (either with or without premium), and may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said town of Valdez. The bonds shall bear the signatures of the mayor and of the clerk of the town of Valdez, and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall, nevertheless, be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the town of Valdez, not to exceed, however, 6 percent per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Sec. 4. The bonds herein authorized to be issued shall be general obligations of the town of Valdez, Territory of Alaska, payable as to both interest and principal from ad valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than that specified in this act. Said bonds shall be sold only when and in such amounts as the common council of the town of Valdez shall direct; and the proceeds thereof shall be distributed only for the purpose hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purpose.

Sec. 6. The town of Valdez is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof under the provisions of the National Industrial Recovery Act and acts amendatory thereof and acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further acts of the Congress of the United States to encourage public works, for the relief of unemployment, or for any other public purpose, for the sale of bonds issued in accordance with the provisions of this act, or for the acceptance of a grant of money to aid said municipality in financing any public works; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Valdez and the United States of America or any agency or instrumentality thereof, or any such purchaser.

Sec. 7. This act shall take effect immediately.

With the following committee amendment:

Page 5, line 3, after the word "purposes" insert: "including the Emergency Relief Appropriation Act of 1935."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ROUND VALLEY RESERVATION, CALIF.

The Clerk called the next bill, H. R. 1395, to provide funds for cooperation with the public-school board at Covelo, Calif., in the construction of public-school buildings to be available to Indian children of the Round Valley Reservation, Calif.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. ROGERS of Oklahoma. Mr. Speaker, in order to keep the record clear, I object to the unanimous-consent request.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

#### LEIF ERIKSON

The Clerk called the next resolution, House Joint Resolution 26, requesting the President to proclaim October 9 as Leif Ericson Day.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I call the attention of the Members to the fact that this is similar to a bill which was vetoed by the President and which established a Pulaski Day, the only difference being this sets aside a particular day in 1935 and that bill, as I understand it, set aside a certain day for each year. I have no objection to this bill, because I think we should give consideration and proper recognition to this outstanding Norwegian, Leif Erikson; but I wonder if the Members have given consideration to the fact it is useless for us to pass this measure in view of the President's attitude toward setting aside a specific day for this purpose?

Mr. SAUTHOFF. Mr. Speaker, the committee has two amendments, which specifically provide that this day will only be set aside this year. There is a correction in the spelling of the name also. We have a statute to this effect already in the States of Minnesota, Wisconsin, and South Dakota, where it is a yearly observance. We are asking in this joint resolution that there be an observance to this effect only this year.

Mr. WOLCOTT. Mr. Speaker, I have no objection to the bill and withdraw my reservation of objection in the hope that the President will take a different attitude toward this bill than he did to the bill to commemorate an outstanding Polish general, General Pulaski.

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.,* That the President of the United States is hereby authorized and requested to issue a proclamation designating October 9 of each year as Leif Ericson Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

With the following committee amendment:

On page 1, line 4, after the word "designating", strike out "October 9 of each year as Leif Ericson" and insert in lieu thereof "October 9, 1935, as Leif Erikson."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read as follows: "Joint resolution requesting the President to proclaim October 9 as Leif Erikson Day."

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. O'DAY for the balance of the week, on account of important business.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had adopted the following resolution:

##### Senate Resolution 130

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. BRONSON CUTTING, late a Senator from the State of New Mexico.

*Resolved*, That a committee of 10 Senators be appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

##### BRONSON M. CUTTING

Mr. DEMPSEY. Mr. Speaker, it is my sad duty to announce to the House the tragic death of the late distinguished Senator from my State of New Mexico, the Honorable BRONSON M. CUTTING. Senator BRONSON M. CUTTING has been an outstanding national figure. He has rendered a distinguished service to the State of New Mexico and its people, as well as to the Nation. He will be mourned by every man, woman, and child in our State; and I am sure every Member of this House joins me in the expression of deepest sympathy to the members of his family.

Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

##### House Resolution 213

*Resolved*, That the House has heard with profound sorrow of the death of Hon. BRONSON CUTTING, a Senator of the United States from the State of New Mexico.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

*Resolved*, That a committee of four members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

The SPEAKER appointed as members on the part of the House to attend the funeral of Hon. BRONSON M. CUTTING, a Senator of the United States from the State of New Mexico, Mr. BLANTON, Mr. DEMPSEY, Mr. PLUMLEY, and Mr. MAAS.

The SPEAKER. The Clerk will report the further resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to.

#### ADJOURNMENT

Accordingly (at 2 o'clock and 13 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 7, 1935, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

319. Under clause 2 of rule XXIV a communication from the President of the United States, transmitting two supplemental estimates of appropriations for the fiscal year 1935, one for the Civil Service Commission and one for the George

Washington Bicentennial Commission, amounting to \$114,500 (H. Doc. No. 170), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DOXEY: Committee on Agriculture. H. R. 6914. A bill to authorize cooperation with the several States for the purpose of stimulating the acquisition, development, and proper administration and management of State forests and coordinating Federal and State activities in carrying out a national program of forest-land management, and for other purposes; without amendment (Rept. No. 830). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCHANAN: Committee on Appropriations. House Joint Resolution 272. Joint resolution to enable the Commissioners of the District of Columbia to defray certain expenses incident to the convention of the Imperial Council of the Mystic Shrine, June 8 to June 17, 1935, both inclusive; without amendment (Rept. No. 829). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LLOYD: A bill (H. R. 7909) to amend the act creating a United States Court for China and prescribing the title thereof, as amended; to the Committee on Foreign Affairs.

By Mr. RUDD (by request): A bill (H. R. 7910) amending the provisions of an act entitled "United States marshals of the Department of Justice, an act of power to appoint additional deputy marshals thereto"; to the Committee on the Judiciary.

By Mr. SUMNERS of Texas: A bill (H. R. 7911) to provide for retirement of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. SAMUEL B. HILL: A bill (H. R. 7912) to amend section 206 of the National Industrial Recovery Act with relation to preference to residents of the political subdivision and/or county in which work is to be performed on construction projects; to the Committee on Ways and Means.

Also, a bill (H. R. 7913) to raise revenue by taxing imported chemical wood pulp; to the Committee on Ways and Means.

By Mr. THOM: A bill (H. R. 7914) to amend the act entitled "An act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes"; to the Committee on the Judiciary.

By Mr. WEST: A bill (H. R. 7915) to authorize the Secretary of War to sell to the Eagle Pass & Piedras Negras Bridge Co. a portion of the Eagle Pass Military Reservation, Tex., and for other purposes; to the Committee on Military Affairs.

By Mr. GEHRMANN: A bill (H. R. 7916) to amend section 6 of the act of Congress approved April 7, 1934, entitled "An act to amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes"; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOCKWEILER: A bill (H. R. 7917) for the relief of Hackett M. Ross; to the Committee on World War Veterans' Legislation.

By Mr. GWYNNE: A bill (H. R. 7918) for the relief of Melville B. Elliott; to the Committee on Military Affairs.

By Mr. LUDLOW: A bill (H. R. 7919) granting pensions to E. D. Howe, W. C. Harris, and Elwood Kirkwood; to the Committee on Pensions.

Also, a bill (H. R. 7920) authorizing the President to order Maj. Harold R. Richards, Auxiliary Reserve Corps, before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; to the Committee on Military Affairs.

By Mr. COLDEN: A bill (H. R. 7921) for the relief of Fred C. Wasserman; to the Committee on Military Affairs.

By Mr. WALLGREN: A bill (H. R. 7922) to provide for a survey of the Nooksack River and its tributaries, in the State of Washington, with a view to the control of its floods and to conservation of soil from erosion; to the Committee on Flood Control.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8275. By Mr. BELL: Petition of Lieutenant Jules G. Ord Camp of Spanish War Veterans, as submitted by B. S. Holloway, of Kansas City, Mo., urging the passage of House bill 6995; to the Committee on Pensions.

8276. By Mr. DOUGHTON: Memorial of the Legislature of the State of North Carolina, repealing, rescinding, and vacating resolutions ratified April 10, 1935, memorializing Congress to eliminate the cotton-processing tax; to the Committee on Agriculture.

8277. By Mr. GWYNNE: Petition of sundry citizens of College Hill and Cedar Falls, Iowa, favoring House bill 6472, to outlaw block selling of motion pictures; to the Committee on Interstate and Foreign Commerce.

8278. Also, petition of sundry citizens of Readlyn, opposing passage of the bill to give the Federal Trade Commission supervision of all types of business, whether incorporated or not; to the Committee on Interstate and Foreign Commerce.

8279. Also, petition of business men of Readlyn, Iowa, protesting against enactment of the holding-company bill (H. R. 5423); to the Committee on Interstate and Foreign Commerce.

8280. By Mr. JOHNSON of Texas: Petition of Missouri Pacific Lines, by R. V. Dunbar, agent, Malone; T. E. Ellison, agent, Penelope; R. D. Elliott, agent, Irene; J. S. Renlet, agent, Italy; and J. L. Morris, agent, Maypearl, all of the State of Texas, favoring House bill 3263, regulating interstate truck and bus service; to the Committee on Interstate and Foreign Commerce.

8281. By Mr. MERRITT of New York: Petition of the Central Civic Association of Hollis, N. Y., urging Congress to enact into law the bill known as S. 2220, introduced by Senator ROYAL S. COPELAND, for the purpose of consolidating the post offices in the county of Queens, N. Y., etc.; to the Committee on the Post Office and Post Roads.

8282. Also, petition signed by the officers and 64 other employees of the Permatex Co., manufacturers of automotive chemical products, Sheepshead Bay, Brooklyn, N. Y., protesting against the Wagner labor-disputes bill as "being unnecessary legislation that will inevitably lead to trouble in many forms, etc."; to the Committee on Labor.

8283. By Mr. REED of Illinois: Petition signed by Clarence D. Averill and 64 others, favoring adoption of Senate bill 1629 and House bill 5262, providing for regulation of interstate highway transportation; to the Committee on Interstate and Foreign Commerce.

8284. Also, resolution adopted by Du Page County Consul Veterans of Foreign Wars, Department of Illinois, approving and endorsing House bill 5224; to the Committee on the Civil Service.

8285. Also, petition signed by F. J. Thomas and 21 others, urging passage of House bill 6995, to restore to Spanish War veterans and dependents their pension status of March 19, 1933; to the Committee on Pensions.

8286. By Mrs. ROGERS of Massachusetts: Petition of Roosevelt Council, No. 45, Sons and Daughters of Liberty, of

Lowell, Mass., urging upon Congress the favorable consideration and immediate passage of House bill 5921; to the Committee on Immigration and Naturalization.

8287. By Mr. RUDD: Petition of Arbeiter Kranken & Sterbekasse, Branch 166, twenty-eighth ward, Brooklyn, N. Y., concerning the Lundeen bill (H. R. 2827); to the Committee on Labor.

8288. By Mr. TRUAX: Petition of the Methodist Federation for Social Service of New York City, opposing alien bills broadening the powers of the Department of Labor to deport and exclude aliens for mere economic beliefs or association in organizations advocating change, of which House bills 7120, by Mr. DIES; 5839, by Mr. DICKSTEIN; and 6795, by Mr. KERR, are typical, because such measures tend to create spies and secret police of a nature inimical to the fundamental concepts of a free people; to the Committee on Immigration.

8289. Also, petition of the Methodist Federation for Social Service of New York City, opposing House bill 5845, by Mr. McCORMACK, punishing the spreading of propaganda in the Army and Navy, because such measures are potent menaces to freedom of speech and press, being easily perverted to reach persons unpopular with the authorities or opposed to the interests of powerful employers; to the Committee on Military Affairs.

8290. Also, petition of the Methodist Federation for Social Service of New York City, opposing all bills commonly known as "sedition bills" making mere belief a crime, of which House bills 6427 and 2866 are typical, because new laws of this nature are wholly unnecessary, since any acts against good order or existing Government are already punishable under present laws; to the Committee on the Judiciary.

8291. Also, petition of Retail Clerks, Local 128, of Toledo, Ohio, requesting support in the retention of approved Code No. 60, Retail Trade; to the Committee on Labor.

8292. Also, petition of the Lucas County Democratic central and executive committees and county officials, by County Auditor Hale T. Shenefield, asking support of the President by his party and requesting favorable action on the extension and strengthening of the National Recovery Act and the further definition and revision of the labor provisions of that act, the abolition of utility holding companies, the enactment of needed revision of the Federal Reserve Act, and transportation legislation; to the Committee on Labor.

8293. By Mr. COSTELLO: Resolution of Arizona State Chamber of Commerce, urging continuance of present excise tax on copper; to the Committee on Ways and Means.

## SENATE

TUESDAY, MAY 7, 1935

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Father of mercies, whose never-failing love alone can heal our wounds, be with us now; be very near, dear Lord, in this sad hour wherein we pause in loving tribute to the memory of him our friend, so late our gallant comrade. Vouchsafe him peace and joy in the paradise of God, and may he go from strength to strength in that life of perfect service. Deal tenderly with her whose love hath ever been to him the earnest of Thy love, that through the shadows of the valley Thy staff may be her stay, Thine everlasting arms her sure refuge. Grant unto us who are still in our pilgrimage that purity of intention which sets the seal of a supernatural distinction upon the humblest life; gird us with prudence and restraint, the holy armour of knights dedicated to a divine adventure, in which discretion shall reveal itself as the high wisdom of that love which cares not for the dangers of the way but only for the face of the Beloved.

When on my day of life the night is falling  
And, in the winds from unseen spaces blown,  
I hear far voices out of darkness calling  
My feet to paths unknown.